

The Vanuatu-Australia Policing and Justice Services Study

Judy Putt and Sinclair Dinnen



Australian
National
University

Department of
Pacific Affairs

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Abbreviations

AP	Authorised Person
DPA	Department of Pacific Affairs
EOPO	End of Program Outcome
FPA	Family Protection Act
FPU	Family Protection Unit
GoV	Government of Vanuatu
IPR	Independent Progress Report
MJCS	Ministry of Justice and Community Services
MTR	Mid-term review
NGO	Non-government organisation
OPP	Office of the Public Prosecutor
PJSPV	Policing and Justice Support Program Vanuatu
PSO	Public Solicitor's Office
RSE	Recognised Seasonal Employer scheme
SLO	State Law Office
SPD	State Prosecutions Department
SPSS	Statistical Package for the Social Sciences
SRBJS	Stretem Rod blong Jastis mo Sefti
VAPJP	Vanuatu-Australia Policing and Justice Program
VAPP	Vanuatu Australia Police Project
VLSSP	Vanuatu Legal Sector Strengthening Program
VNSO	Vanuatu National Statistics Office
VPF	Vanuatu Police Force
VPFCBP	Vanuatu Police Force Capacity Building Program
VWC	Vanuatu Women's Centre
WVV	World Vision Vanuatu

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Executive summary

Introduction

Vanuatu is an archipelago comprising over 80 islands. More than two-thirds of its estimated population of 323,000 people live in rural areas, while over half are aged under 25 years. Due to major structural and economic challenges, there is often very basic infrastructure, transport, and service delivery. Vanuatu is heavily dependent on international aid, and Australia is its largest bilateral donor.

Australia has provided assistance to the Vanuatu Police Force (VPF) since the early 1990s and to the justice sector since the mid-1990s. The two programs were combined in 2014, and the current program — the Vanuatu-Australia Policing and Justice Program (VAPJP) — is in its second phase, with the design updated in 2020 to map out Australia's continued support. The end of program outcomes for the VAPJP are: improving the quality and reach of justice and policing services; women, children and youth increasingly accessing state policing, justice and community services; and policing and justice agencies continuing to maintain public security and the rule of law.

As a baseline study for the VAPJP, a telephone based survey of 1016 adults and nine focus groups with 91 participants was conducted in 2022. The key results from this study form the body of this report, along with key implications and recommendations that emerged from the study.

Key findings

Perceptions of safety

More than 90% of respondents felt very or somewhat safe while at home in the daytime or night and while walking around the community in the daytime. Fewer people (84.2%) felt safe at the weekend, while walking around the community at night (72.7%), or during big celebrations (55.5%).

In relation to feeling safe when walking around at night, the proportions varied by province, area of residence (whether urban, peri-urban, rural or remote), gender and marital status, and these were statistically significant associations. In terms of provinces, a small proportion of respondents (11.2%) felt unsafe walking around at night in Penama compared with respondents in Sanma (36.6%), Torba (35.4%) and Malampa (33.9%) provinces.

There were no gender differences in relation to feelings of safety during big celebrations, but there were statistically significant differences across provinces and

area of residence. More than half of the respondents in Penama (56.1%) felt very safe, in contrast to respondents in Sanma and Torba provinces where 44.1% and 37.5% felt not at all safe during big celebrations.

All of the 10 listed social groups (see Table 3) were perceived as very or somewhat safe, with men ranked as the safest (87.5%) and teenage girls the least safe (73.3%). A quarter of those surveyed perceived that teenage girls were the least safe. There were differences in perceptions of teenage girls' safety across the provinces — they were viewed as safe by respondents in Penama but less so in Sanma and Torba provinces.

The focus groups provided more nuanced accounts of the circumstances in which different social groupings feel unsafe. These included gendered accounts about women not going to gardens alone and women not walking around at night, including in urban settings where there is no street lighting, making it difficult to recognise people. Some people with disabilities said they are more fearful and careful in town than back in their home island communities where they have family support.

Social problems

Out of a list of 18 social behaviours and kinds of disputes, there were clusters that were viewed as 'big' problems, with drug and kava use being the most common. The second cluster comprised alcohol fuelled violence, threatening language or behaviour, drunkenness, and young men out of control, followed by issues such as black magic and land disputes.

Kava use ranked as the biggest social problem. However, the proportion that reported this varied by province and type of area: respondents in Sanma (39.4%) and in Malampa (33.3%) were more likely to see no problem with kava use compared with the other provinces, while a large majority saw it as a big problem in Torba (81.2%), Penama (84.1%), Shefa (60.3%) and Tafea (65.1%). Respondents in urban areas were less likely to view it as a problem compared with those in remote, rural and peri-urban areas. It should be noted that the perception of kava use as a big problem was likely to be more about the social and family impacts of patterns of use, rather than the effect of drinking kava itself.

Compared to the young men in focus groups, young women were more likely to refer to family problems and violence — including divorce, separation, the neglect of children, and domestic violence — as social problems. Across the focus groups, social problems and disputes were attributed to youth unemployment, drug misuse, and increased social mobility, including those returning from overseas seasonal work.

Domestic and family violence

Of the 140 respondents who said they had been a victim of crime in the past year, only a small proportion (n=19) said the most recent crime was domestic violence. In all focus groups however, it was often identified as a common problem in the community.

Almost a third of respondents (32.1%) said there was no problem of domestic violence in their community, village or neighbourhood, while 19% said it was a big problem. There was a statistically significant difference in whether domestic violence was viewed as a social problem by province and type of area (rural or urban), but not by gender. In Sanma and Malampa provinces more than half of the respondents said there was no or only a little problem (66.1% and 58.8% respectively) while in Torba Province one-quarter of the respondents said domestic violence was a big problem.

A large majority of the respondents (70.3%) said they would contact the chief first to seek help if the respondent or someone in his or her family was the victim of domestic violence, with only 12.9% selecting the police. This may be partly due to difficulties with accessing police, as well as reflecting that many incidents of domestic violence continue to be viewed as a household or family problem that should be dealt with locally, and not by outside/state intervention.

There is evidence that public awareness raising and community education around domestic and family violence are having an impact. The majority of respondents viewed domestic violence as against the law (80.7%), thought female and male victims should report domestic violence to the police (75.5% and 72.4% respectively), and did not consider the four listed forms of domestic and family violence as justified (ranging between 84.3% and 87.4%).

Awareness of key reforms such as the Family Protection Act is quite high (46.1% said they had heard of it), and of temporary or family protection orders (62.7%), but less so of specialist units or positions such as the police's Family Protection Unit (FPU) (57.5%), and of Authorised Persons under the Act (18.5%).¹ In Sanma Province, where Authorised Persons have been appointed, only 28.3% of respondents had heard of them.

Nevertheless, it is less clear how these attitudes and knowledge are translating into action and engagement with the criminal justice system. A small proportion of respondents had sought assistance from the FPU in the past year (n=62, 6.1% of the total sample), the most common way being via phone, and an even smaller number had applied for a temporary or family protection order (n=26). A tiny number (n=8) had sought help from an Authorised Person (AP).

Police and crime victimisation

Not many respondents (13.8%; n=140) indicated they had been a victim of crime in the past 12 months. The most common crime in the past 12 months was assault (23.6%), followed by threatening behaviour (16.4%) and theft (15%). Domestic violence was the fourth most common.

Just under half (45%) of this small cohort had not reported being a victim of crime to the police. Reasons for not making a formal report or statement to the police included dealing it with themselves (44.4%) and that the crime was not important (28%). Statistical analysis revealed no significant differences by age, gender or other socio-demographic variables.

Approximately two-thirds of survey respondents – between 62.2% and 69.6% – believed police have improved in the past two years across six police functional areas, including providing appropriate services to victims of domestic/family violence and keeping communities safe. Criticisms of the police were made in every focus group, with young people talking about poor relations between young men and police, and poor behaviour by the police often resulting in violence by police towards young men.

The majority of the focus group participants supported having more police women, because they were easier to talk to, especially for women, and respond more responsibly. One young women's focus group, however, did not support having more police women on the grounds that they were not respected by male youth, and could not handle a fight.

Law and justice services

More than three-quarters of the sample (78.1%) said they knew a little bit about Vanuatu's national laws, while 11.7% said they knew nothing, 8.1% some, and 2.2% a lot/expert. More than one in 10 (12.9%) had sought advice about the law and/or legal issues in the past 12 months, although this is likely to have been about civil matters given respondents' very low rate of crime victimisation.

Lack of awareness of justice services and availability was the key issue revealed by the survey results and focus groups. Very few respondents or participants had direct experience of the formal justice sector; 93.8% of survey respondents had no contact with any of the listed justice services in the past 12 months.

In general, justice services were viewed in a positive light. A large majority were either very satisfied (23.3%) or somewhat satisfied (61.5%) with how the government of Vanuatu (GoV) provides justice services in their community, and the majority of respondents (71.8%) believed justice services were either somewhat easy to access when they were needed or accessible but facing challenges.

More than half (57.8%) thought that justice services in Vanuatu had improved in the last two years, while more than a third (38.8%) thought they had stayed the same.

Community management of problems

Family members, church members, chiefs and police, in that order, were seen by respondents as the most important and responsible for maintaining community safety. In contrast, the chief was by far the most important in terms of who respondents would ask for help to resolve a major disagreement or dispute. In focus groups the participants stated that they would ask the chief to resolve disputes, but they also raised the issue of chiefs' decisions or directives not being respected or followed.

Implications

Being proactive

Given that crime rates seem relatively low and that the majority of people feel safe in everyday life, but that there were signs of anxiety about social problems in the focus groups, a preventative framework is useful. Adopting a crime prevention strategy and being prepared for the impact of continuing urbanisation and offshore employment returnees can be enhanced:

- By focusing on addressing problematic behaviours linked, for example, with alcohol and other drugs, and common property crime.
- By adopting intelligence-led policing such as enforcing liquor laws, and increasing patrols at certain places and times (for example, using crime data/technology² to enhance policing during big celebrations and at night time in certain areas such as nightclubs and bars).
- By community crime prevention measures that improve relations with and increase support for the vulnerable and disadvantaged. Considerable stress and a worsening of the conditions of marginalised groups and individuals has been exacerbated in the past few years because of the COVID-19 pandemic and Cyclone Harold.
- By improving the safety of at-risk groups – for example, teenage girls (from physical violence and cybercrime) – by increasing access to free telephone lines or developing country specific advice on physical and online safety, as well as social media groups that aim to create safe spaces for girls and women to share information and discuss strategies to improve their safety.

Strengthening policing and justice services

The study findings supported the VAPJP's continued emphasis on strengthening policing and justice services by:

- Addressing poor access in key locations and at key times.
- Addressing discrimination and disadvantage, by considering factors such as gender, age, disability, and family status.
- Improving relations between police and young people.
- Supporting the recruitment, retention and promotion of police women.
- Training on protection orders, and the continued roll-out of APs.
- Building on and recognising the role of multiple actors in the community management of problems.
- Engaging with non-state justice actors, particularly chiefs and other community leaders, around awareness of law, formal justice processes, human rights and the different roles of different justice actors.

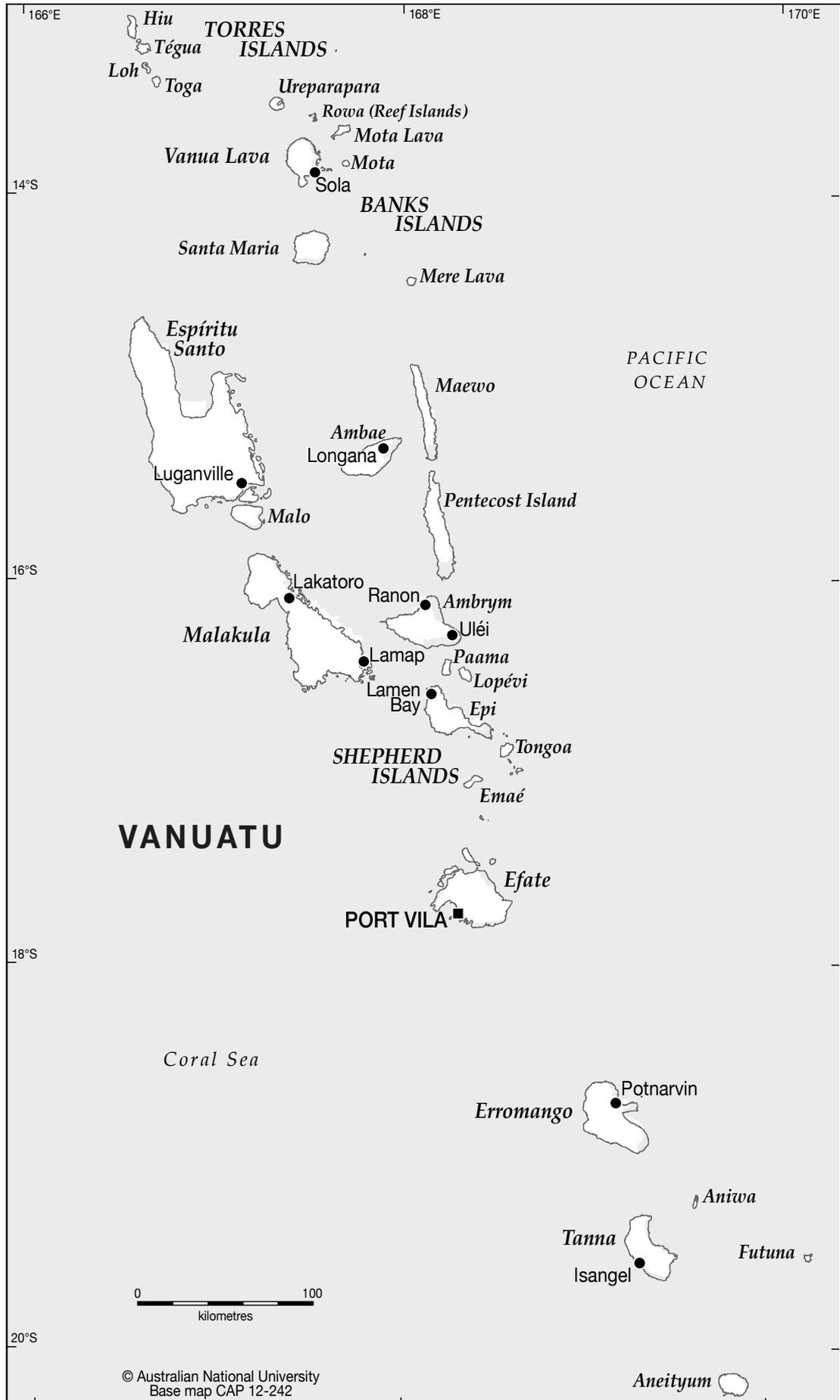
Further research

There were key areas of interest that the study could not adequately canvass. To assess whether the VAPJP's outcomes are being achieved in relation to the quality and reach of justice services, and are improving access to justice for the disadvantaged and marginalised, we would recommend further research on:

- Experiences of and satisfaction with formal justice services.
- Understanding the normalisation of domestic violence and its implications for victims' access to justice.
- The efficacy of protection orders and applicants' experience of the process.

To help inform any evaluation of whether the program is meeting the third end of program outcome area that focuses on public security and rule of law, we would recommend research on emerging threats posed by complex, cyber-based and transnational crime.

Figure 1: Map of Vanuatu



Source: ANU CartoGIS.

Chapter 1 – Context and methodology

Introduction

The aim of the Vanuatu-Australia Policing and Justice Program (VAPJP) is to build capacity and strengthen policing and the law and justice sector, and to improve access to justice for the disadvantaged and marginalised. Undertaken for the VAPJP, the aim of the study was to provide baseline information for the second phase of the program which is due to end in 2024. Ideally, the community perceptions survey should have been conducted at the beginning of the program in 2021. However, COVID-19 restrictions affected both the program and the timing and implementation methodology of the survey.

The first chapter of the report focuses on the context of the study, providing a broad overview of the country and the history of Australian assistance programs with Vanuatu's law and justice system and police force. Chapter 2 outlines the methodology for the study. In preparation for the drafting of the questionnaire for the baseline study, a review was undertaken of previous surveys and other relevant research in Vanuatu and several other Melanesian countries. This helped inform the design of the questionnaire, which was administered via phone due to Vanuatu's COVID-19 Public Health Orders that restricted domestic inter-island travel during an active community outbreak in the capital, Port Vila.

The survey was conducted in mid-2022 with more than 1000 Ni-Vanuatu adults; nine focus groups were held in September 2022. The study's main findings are presented in the second part of chapter 2, while the implications of these findings are discussed in chapter 3.

Country context

Vanuatu's physical landscape comprises a Y-shaped archipelago of over 80 islands located in the south-west Pacific to the west of Fiji and north of New Caledonia.

Before independence in 1980, Vanuatu was known as the New Hebrides and from 1906 had been administered jointly by France and Britain under the Anglo-French Condominium. Categorised as part of the Melanesian cultural bloc of countries, Vanuatu shares similar levels of socio-linguistic diversity with its neighbours in Solomon Islands and Papua New Guinea, with over 100 local languages spoken in addition to the three official languages of Bislama, English and French. An estimated population of 323,000 people is dispersed across 65 inhabited islands.³ Around 77.6% of Ni-Vanuatu are rural-based, typically living in villages or hamlets, and just over 22% reside in the country's two main urban centres,

Port Vila and Luganville. It is a youthful population, with around 56.5% under the age of 25.

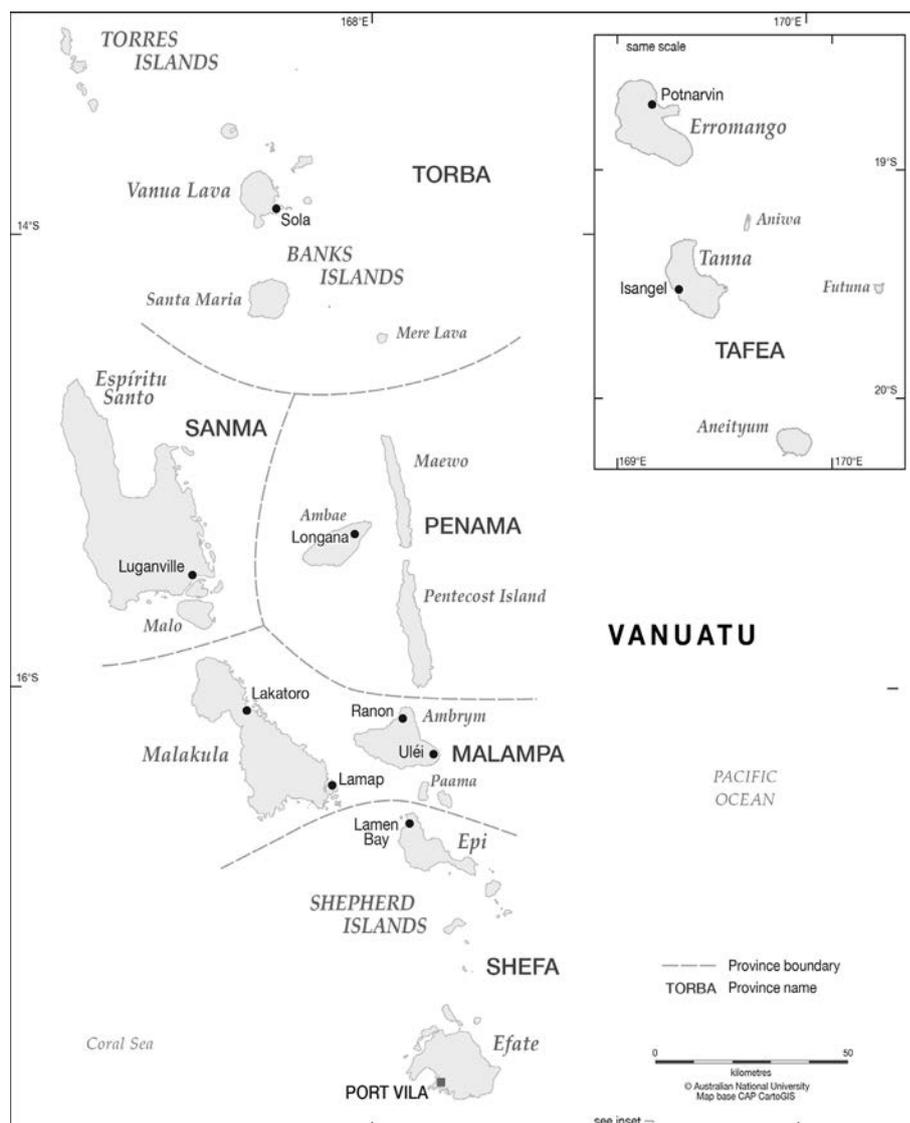
Vanuatu's economy is based on agriculture, fishing, tourism and offshore financial services. With most exports being agricultural, Vanuatu is vulnerable to fluctuations in global commodity prices. Remittances from overseas labour have grown in recent years as more Ni-Vanuatu workers have been recruited to temporary mobility labour schemes in New Zealand and Australia (Bailey and Wells 2017). International tourism has been an important part of the formal economy in recent years but was adversely affected by the COVID-19 pandemic. The country is also highly susceptible to natural disasters, including devastating cyclones, as well as the impacts of accelerating climate change. Given its structural and other economic challenges, Vanuatu is heavily dependent on international aid, with Australia as its largest bilateral donor.

The country is divided into six provinces, each named after their constituent islands: Shefa (Shepherd Islands and Efate), Sanma (Santo and Malo), Malampa (Malekula, Ambrym and Paama), Penama (Pentecost, Ambae and Maewo), Tafea (Tanna, Aneityum, Futuna, Erromango and Aniwa) and Torba (Torres and Banks).

Port Vila, the national capital, with an estimated population of 51,500,⁴ is located on the island of Efate in Shefa Province. Shefa is the most populous province, accounting for around one-third of the total national population. Luganville, the other main town, has a population of around 18,062 and is located on the island of Espiritu Santo in Sanma Province.⁵

Vanuatu's archipelagic geography and widely dispersed population, along with limited transport and other basic infrastructure, present major challenges to service delivery. Most government services, including policing and justice, are headquartered in Port Vila, with only partial or intermittent reach in most rural areas. Police have a reasonably significant presence in Luganville with the Northern Police Headquarters. While the population remains predominantly rural-based, there has been rapid urban growth, mainly in and around the national capital (Petrou 2020). The drivers of urbanisation are similar to those found elsewhere in the Pacific Islands (Keen and Barbara 2015). There are relatively few employment or other cash-generating opportunities in most rural areas, with subsistence agriculture, fishing and cash cropping providing the main livelihoods. Limited rural prospects, combined with the promise of employment and access to services in town, have been a major driver of rural-urban migration. However, the aspiration for improved living standards is regularly thwarted by the realities of high

Figure 2: Map of Vanuatu provinces



Source: ANU CartoGIS.

unemployment and costs of living in town. Most urban migrants end up in overcrowded informal settlements, often on the fringes of town and lacking in basic amenities. While these can be sites of innovation and social mobility, they can also be centres of social and economic disadvantage associated with poverty and marginalisation.

The large size of Vanuatu’s maritime exclusion zone, its archipelagic geography and its location in relation to trans-Pacific shipping routes linking the Americas to Australasia render it vulnerable to the growing global threat of transnational crime. Domestically, it remains a stable and peaceful country and has avoided the high levels of crime, violence and civil unrest experienced in many other parts of the world in recent times, including among some of its neighbours. Concerns are periodically raised about apparent increases in certain crimes in particular areas, although not always substantiated by reliable data, while more persistent concerns have been expressed about gender-based

violence. The recently endorsed National Security Strategy highlighted increasing crime levels, with gender-based violence, theft and robbery, assault, destruction of property, and alcohol fuelled violence and other anti-social behaviour identified as among the more common offences (GoV 2019:22). Police statistics list Vanuatu’s top 10 reported offences in 2021 as: intentional assault; domestic violence; theft; malicious damage/destruction to property; abusive or threatening language; criminal trespass; threat to kill a person; possession of a prohibited substance and material; disorderly, indecent, drunk behaviour; and careless driving (VPF 2021).

Available evidence indicates that women and girls in Vanuatu suffer high levels of physical and sexual violence (see the VWC and VNSO (2011) study for the most comprehensive survey on women’s lives and family relationships). According to figures quoted by World Vision Vanuatu, 60% of Ni-Vanuatu women

have experienced physical or sexual intimate partner violence, and one in three girls under the age of 15 has experienced sexual abuse, with a majority of perpetrators being an intimate partner or family member (WVV 2020). The problem of family and sexual violence has attracted a range of interventions by government, international donors and civil society organisations. Vanuatu was the first Pacific Island country to provide targeted legislation with the enactment of the Family Protection Act in 2008 (Kanan 2019). The Act makes domestic violence a specific criminal offence punishable with up to five years imprisonment, as well as providing for civil protection orders issued through courts and by authorised persons in a number of communities. While the Act represents an important step forward in terms of a legislative lever to respond to domestic violence, challenges remain with its implementation. These include low recognition of domestic violence as a serious problem and the non-service of protection orders.

As with its neighbours in Solomon Islands and Papua New Guinea, Vanuatu's normative and regulatory environment is characterised by high levels of pluralism, with the existence of different sources and forms of authority. Legal pluralism in Vanuatu comprises the overlapping domains of *kastom*, state and church (Forsyth 2009). The state dimension entails the national justice system, comprising national or state laws and the various agencies involved in their enforcement and administration, notably the police and courts. *Kastom* for present purposes refers to the community norms and practices that are accorded that status by Ni-Vanuatu. Usually administered by chiefs, *kastom* provides the basis for everyday dispute resolution and the maintenance of order at community levels, particularly in rural areas. Christian beliefs provide another important source of regulation in Vanuatu, as they do throughout the Pacific Islands, reflecting the continuing centrality of churches and faith in contemporary social life. A large part of Vanuatu's complexity derives from the interweaving of these different sources of authority and forms of social ordering, including diverse layers of law spanning national, provincial and municipal levels.

Vanuatu's constitution recognises *kastom* as a source of law, as well as acknowledging the authority of chiefs. Chiefs are incorporated into the state through the *Malvatumauri* or National Council of Chiefs, though their official role under the constitution is limited to discussing matters relating to custom and tradition and making recommendations for the preservation and promotion of Ni-Vanuatu culture and languages (Bolton 1999). In practice, chiefs continue to play a central role in managing disputation and maintaining order at community levels. Although this mainly takes place informally, chiefs are also incorporated into Island Courts, which like Papua New Guinea's Village Courts and Solomon Islands' Local Courts were intended as hybrid courts established by state law to settle minor disputes according to local *kastom* (Goddard and Otto 2013). However, the number of these hybrid courts in operation in different parts of the country has fluctuated over the years.

While state justice and *kastom* approaches can work in complementary ways, there can also be dissonance between them, including, for example, regarding conceptions of right and wrong in some instances, issues around who has authority to deal with certain matters, as well as in terms of different processes and outcomes of dispute resolution (Dinnen 2003). In addition, the needs of Ni-Vanuatu women have not always been well served by either state justice services or *kastom* resolutions (Jolly 2003). State justice faces a range of challenges that can obstruct, diminish or deny justice to women and girls. These include issues of accessibility, male-dominated agencies, the slow processing of serious domestic violence cases through the Magistrate's Courts, and lack of appropriate skills, knowledge and resources to assist survivors of family and sexual violence. Women can also have profoundly negative experiences of *kastom*. Appeals to *kastom* can be used to legitimate practices that perpetuate injustice against women and girls by denying their human rights. However, it would be misleading to view the relationship between human rights and *kastom* as fundamentally incompatible (NZLRC 2006). *Kastom* is intrinsically dynamic and adaptable. Just as human rights can enhance customary views about women, *kastom* can also provide an important foundation for socialising and progressing women's rights.

Program history: Australian assistance to Vanuatu justice and policing services

Vanuatu's law and justice sector has received technical assistance from Australia since 1996. Australian support to the Vanuatu Police Force (VPF) dates back to the early 1990s. Initially designed and implemented as separate programs, the Australian justice and police support programs were combined in 2014 with a view to achieving efficiencies and enhancing shared outcomes.

Separate programs

Law and justice

Following a strategic review in 2000, Australia agreed to fund the Vanuatu Legal Sector Strengthening Program (VLSSP) which aimed to build sustainable administrative and legal capacity within the judiciary, particularly in the three main public legal offices: the State Law Office (SLO), Public Prosecutor's Office (PPO) and Public Solicitor's Office (PSO) (Vira 2008). Each of these offices faced major challenges in terms of resources, operational capabilities (administrative, managerial and substantive legal capacity) and coordination with other government agencies. Additional complexities stemming from Vanuatu's colonial legacies included the mix of French and English laws, the interweaving of customary and western law and the relative youth of the national legal system.

Commencing in mid-2000, the VLSSP underwent three phases before concluding in mid-2011. Implemented

by the New South Wales Attorney General's Department, the program's capacity-building work included short-term placements of Ni-Vanuatu legal officers in relevant Australian agencies and the engagement of technical consultants to provide training in country on various aspects of public legal practice and administration. Program support was extended to police prosecutors in the State Prosecutions Department (SPD) in 2008. The mid-term review (MTR), also in 2008, found that it was hard to gauge program impact in the absence of baseline or ongoing monitoring data. The identification of this lack of data has contributed to the increasing recognition of the value of data and the prioritisation of its collection across the sector in subsequent years. However, according to the MTR, program achievements remained patchy and lack of local ownership and leadership were identified as a major constraint.

From 2009 to 2010, the VLSSP supported the Ministry of Justice and Community Services (MJCS) to develop Vanuatu's first Law and Justice Sector Strategy and Action Plan. This sought to bring together all of Vanuatu's main justice stakeholders, including formal, *kastom* and non-formal actors. The next phase of Australia-Vanuatu collaboration in this area was called Stretem Rod Blong Jastis (Vanuatu Law and Justice Partnership). As well as continuing capacity-building support with key justice agencies, the partnership marked the gradual shift away from agency specific engagements towards a sector-wide approach. This included the preparation of a sector policy framework and detailed implementation plans for the Justice Sector Strategy.

Police

Australian support to the VPF began in 1992 with a three-year training project that involved upgrading the Police Training School in Port Vila, long-term in-service training, and assistance with select specialist police skills. In 2003, an interim assistance phase commenced in preparation for a larger, longer-term capacity-building project with the VPF – the Vanuatu Police Force Capacity Building Project (VPFCBP) – which ran from 2006 to 2011. Support provided included formal training, systems and procedures development, joint planning and reporting, community safety, infrastructure improvements and a workforce renewal program. The MTR in 2008 observed that the sustainability of achievements under the VPFCBP depended on the VPF addressing critical constraints in workplace skills, and budget and financial management capacity. It also noted that the VPF continued to face difficulties funding operational areas, managing succession planning, and increasing women's representation.

The successor to the VPFCBP, the Vanuatu Australia Police Project (VAPP), was essentially a continuation of the former. Commencing in 2011, the VAPP deployed individual advisers within the VPF, combined with funding to pay for infrastructure and logistics projects as well as contributing to VPF costs. In 2012, an Independent Progress Report (IPR) highlighted several important contributions through the VAPP (Edmanley

et al. 2012). In addition to infrastructure and training support, these included workforce renewal, providing transport to extend police presence in some areas, and supporting 'joint patrols' that enabled the VPF to forge closer relationships with customary authorities, non-government organisations and local communities. However, the IPR also noted the VAPP's lack of a coherent theory of change and mixed evidence regarding its effectiveness in improving policing and safety outcomes, and raised questions about the sustainability of its achievements. The IPR also proposed that future assistance should include research on prevailing crime trends to help identify areas of greatest need and research into the relationship between the VPF and customary authorities. The review emphasised the need for a stronger evidence base to inform the design

Box 1: A complex sector

Vanuatu's policing, justice and community services sector is complex, encompassing a range of state agencies involved in the delivery of policing, justice and community services, as well as non-state bodies such as chiefs and church leaders. It includes a diverse grouping of independent arms of government, constitutional, statutory, line agencies and non-government bodies, some of which report to different ministries for line management or budgetary purposes (see below).

Policing, justice and community services sector – constituent parts

Main delivery arms

- Vanuatu Police Force (VPF)*
- Ministry of Internal Affairs (MoIA)
- Ministry of Justice and Community Services (MJCS)
- Department of Correctional Services (DCS)
- Department of Women's Affairs (DWA)
- MJCS Human Rights Unit
- MJCS Child Desk
- MJCS Disability Desk
- Constitutional bodies

Judiciary

- Office of the Public Prosecutor (OPP)
- Public Solicitor's Office (PSO)
- Malvatumauri National Council of Chiefs

Statutory bodies

- Vanuatu Law Reform Commission (VLRC)
- Customary Land Management Office (CLMO)
- Office of the Land Ombudsman
- Other sector institutions
- State Law Office (SLO)
- State Prosecutions Department (SPD)

*Note: During the study, the VPF reported to the MoIA but since an election and the swearing in of a new government in November 2022 the VPF now report to the Office of the Prime Minister.

of policing programs and called for greater focus on specific problems like violence against women.

Combined programs

Following an extensive redesign, the police and justice support programs were combined in the Policing and Justice Support Program Vanuatu (PJSPV). The policing element was to be delivered by the Australian Federal Police and the justice element by a managing contractor, with whole-of-program administration support. Reflecting a broader sector-wide approach, PJSPV, running from mid-2014 to the end of 2016, involved a blend of justice, community services and policing support. It worked principally at the agency level on a set of practical service delivery issues, with a particular focus on women, children and youth. The key partners were the VPF, the MJCS, the Prime Minister's Office, the Vanuatu Women's Centre and Save the Children Vanuatu.

The main aims of the PJSPV were to support:

- Greater coordination, collaboration and communication across the law, justice and policing sector
- Organisational and capacity development for the whole sector
- A series of inclusive, community-based pilots, focused on protecting children, improving the responsiveness of the sector to women and girls experiencing violence and youth in conflict with the law. (McGovern, 2016:i)

An independent review in 2016 found the PJSPV to be progressing well in almost all aspects of the program (McGovern 2016). Its successor program, *Stretem Rod blong Jastis mo Sefti (SRBJS) – Vanuatu-Australia Policing and Justice Program 2017–2020*, was essentially a continuation of the PJSPV. It was designed as an adaptive and iterative program working towards overarching end of program outcomes (EOPOs), with flexible annual planning, technical advisory and funding mechanisms. With the broad program goal to improve policing, justice and community services, SRBJS had three interconnected EOPOs:

- EOPO1 *Strengthened service delivery capacity of policing, justice and community services and targeted non-state actors, particularly in cases involving women, children and youth*
- EOPO2 *Women, children and youth increasingly accessing policing, justice and community services in targeted locations*
- EOPO3 *Improved quality of service delivery for vulnerable and at-risk groups, particularly women, children, youth, and persons with disabilities.*

SRBJS placed a strong focus on working across the interface between state and non-state (for example, chiefs and church leaders) justice systems, with an emphasis on practical outcomes at the community level. Its approach was influenced by two major pieces of research commissioned by PJSPV that examined the interplay between state and non-state justice actors in the management of conflict at community level. In one location (Malekula), the research focused on conflict

management and access to justice in rural Vanuatu, with particular attention to how this impacted on women victims of gender-based violence (Tyedmers 2016). In the other (Blacksands community, Port Vila), the focus was on youth in conflict with the law in a peri-urban setting (Tyedmers 2017).

The main ways in which SRBJS refined the PJSPV included:

- An increased focus on service delivery in targeted provincial centres (viz. Malampa, Sanma and Tafea provinces)
- Increased support for more effective handling of cases involving violence against women and children by both state and non-state actors
- Support for legal awareness and outreach activities
- Increased support for judiciary, particularly Magistrate's and Island Courts
- Support for law reform, particularly where it could improve justice outcomes for vulnerable and at-risk groups
- Technical legal advisory support for OPP, particularly capacity development for prosecuting cases involving violence against women and children
- Strengthening administrative capacity within the sector.

The SRBJS program design document (SRBJS 2016) identified the development challenges facing the sector as including:

- Limited access to justice, particularly for women, children and youth in remote and peri-urban areas
- High levels of violence against women and children and non-responsiveness of the policing and justice system
- High levels of abuse and neglect of children
- Increasing numbers of youth in conflict with the law who are responded to inconsistently or in an unregulated way, as well as weak diversionary and rehabilitative opportunities
- Limited community confidence in the effectiveness of the VPF and justice institutions
- The absence of a law society to regulate the legal profession and provide continuing legal education
- Limited collaboration between sector stakeholders, both state and non-state, which impacts on service delivery in a resource constrained environment
- Limited use of evidence to inform policy development, management, planning, financial planning and resource allocation within the sector
- Insufficient government budget allocations
- High-level (political) corruption impacting on access to justice.

Additional challenges included continuing capacity limitations undermining service delivery and the disruptive effect of frequent changes in leadership across the sector. The document also noted that despite domestic violence now being a criminal offence under the Family Protection Act, available evidence indicated that most cases continued to be addressed through *kastom* with few brought through the state justice system (Lister, Rosenthal and Sumner 2016).

An independent evaluation of the SRBJS was undertaken in late 2019 (Nichols et al. 2019) in order to assess program performance over the previous two years (2017–19) and make any recommended changes for the remaining year. The evaluation noted several changes in the policy, economic and security contexts, including changes in the VPF leadership and the launch of Vanuatu’s first National Security Strategy (GoV 2019). It also highlighted the GoV’s plans to increase VPF operational capacity from 580 to 900 officers by 2020 in order to enable all Area Councils to have a police presence, in line with its decentralisation agenda.

The 2019 evaluation found that there had been significant progress in several important areas at system, organisational and community levels.

System level

- An increase in numbers of victims of family violence willing to make reports to the VPF
- High numbers of successful prosecutions of perpetrators of family violence
- Improved collaboration among police and justice agencies
- Improved systems of case management, data collection, human resources, financial management and monitoring and evaluation across the sector.

Organisational level

- Improved capacity and operations at the Office of Public Prosecutor (OPP)
- Improved capacity of the investigation functions of the VPF, particularly regarding family violence.

Community level

- Increased numbers of Temporary Protection Orders issued by Authorised Persons (APs)
- Increased awareness of women and other vulnerable people of their rights to access the justice system.

In recommending the continuation of the program into a further four-year phase, the evaluation also highlighted the need for it to maintain its efforts to promote gender equality through its support of women’s networks, male gender advocates and important data

collection and reporting disaggregated by gender, as well as the focus on family violence.

The design of the Vanuatu-Australia Policing and Justice Program (VAPJP) was updated in 2020 as it moved into a second phase; this also reflected the program’s flexibility and responsiveness to changing circumstances (VAPJP 2020). The latter included COVID-19 and Cyclone Harold that resulted in major economic impacts and increased vulnerability, as well as the ongoing challenge of violence against women and children. The updated design framework is based on an implementation framework for the program’s four main components: Policing, Justice, Community, and Sector Coordination.

While the program goal and long-term objective remain the same, its three EOPOs were tweaked as follows:

- EOPO1 *Justice and policing agencies improve quality and reach of services to Vanuatu communities, particularly in their handling of cases involving women, children and youth*
- EOPO2 *Women, children and youth are increasingly accessing state policing, justice and community services*
- EOPO3 *Policing and justice agencies maintain public security and the rule of law.*

While EOPOs 1 and 2 were consistent with the design for Phase 2, EOPO3 reflected recommendations made in the 2019 evaluation to ensure support to ongoing operations and functioning of police and justice services, particularly in times of crises and emerging needs. The updated design adopted a two-track development strategy to address the immediate needs for policing and justice services and the longer-term need to address underlying constraints to their development.

A further design update in 2021 set out the current monitoring, evaluation and learning (MEL) approach for the VAPJP (VAPJP 2021). It is designed to support program reflection, learning and adaptation, providing evidence to inform management decision-making and establishing processes for tracking and reporting of program progress.

Earlier surveys and related research

A range of earlier surveys were consulted to examine the issues that have been previously canvassed in Vanuatu and to develop an understanding of the kinds of instruments and questions that have been used to assess different aspects of the country’s law and justice, and policing, system. Surveys were conducted in 2006, 2008 and 2011 to assess community perceptions of the VPF. Although not identical, questionnaires covered similar ground in relation to community confidence in the police and perceptions about their professionalism and responsiveness. A number of questions also asked about perceived levels of crime, and (personal and community) safety.

There have been no stand-alone surveys that ask the general population about their perceptions and

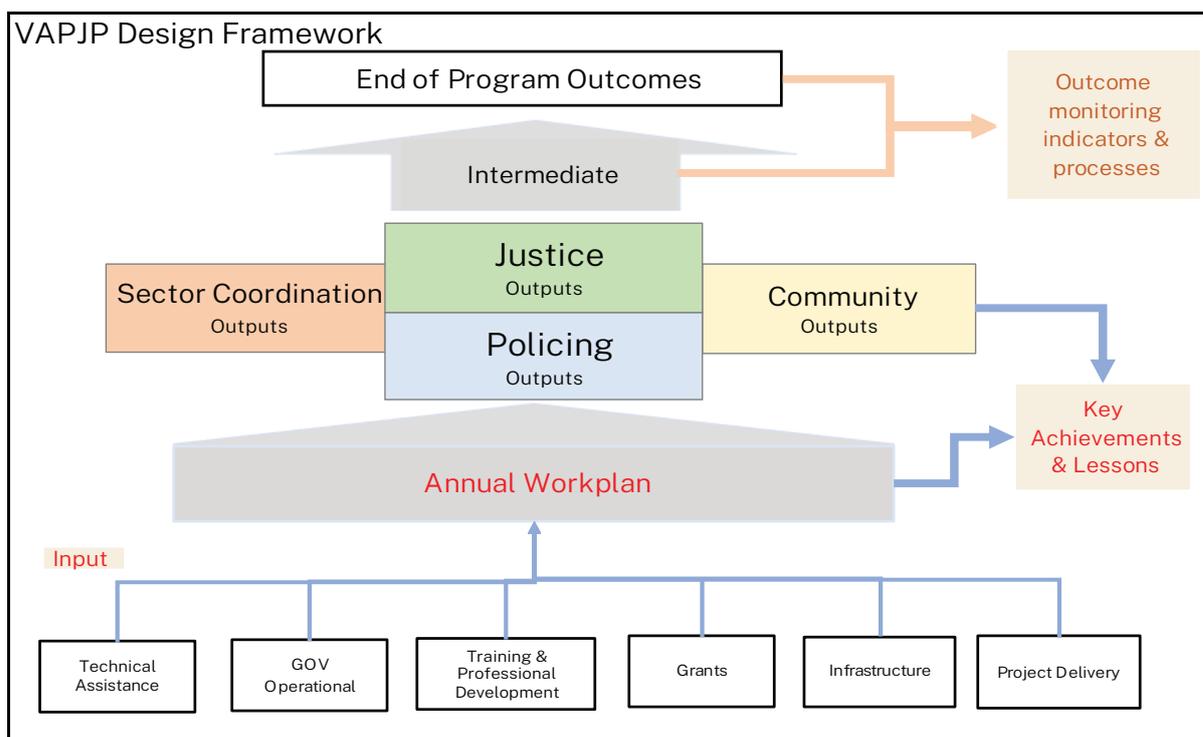
Box 2: Vanuatu National Security Strategy: Secure and Resilient

The strategy noted that while law and order in Vanuatu is relatively good, shortcomings are evident in the security services and cyber, financial and transnational crime presents an increasing challenge. Border security is another major and growing challenge as organised crime becomes more widespread and sophisticated.

Domestic violence is the major exception to the generally low level of violent crime in Vanuatu. In this regard, the strategy calls for a strengthening of human rights protections and access to independent, well-resourced justice institutions, particularly for women.

(GoV 2019)

Figure 3: VAPJP design framework



Source: Vanuatu-Australia Policing and Justice Program, VAPJP (2020:i).

experiences of Vanuatu’s formal (government) justice sector. However, several surveys have focused on access to justice, with an emphasis on access for disadvantaged groups. In 2011, a national survey investigated women’s lives and family relationships, and it contained questions related to violence against women, including coping strategies and risk and protective factors. Five years later, in 2016, a major study of access to justice and conflict management in one rural location, Malekula, included a survey of more than 800 people (Tyedmers 2016).

Key findings from the 2016 study demonstrated the impact of barriers to justice for rural-based citizens and the importance of a more sophisticated understanding of ‘access to justice’ which included both familiar geographic and resourcing issues, as well as many other intangible barriers to access. The majority of interviewees reported that in the past year they received assistance with managing a conflict from community leaders, including chiefs, family members and religious leaders. While state justice was difficult to access for most interviewees, people at the community level, including leaders, expressed a strong desire for greater engagement with state justice. Men, women and community leaders all identified state justice as the best place to deal with certain matters if only it were accessible to them.

A 2017 study of young people’s access to justice in peri-urban Port Vila (Tyedmers 2017) found that for a variety of reasons young people were not accessing justice actively in that location. There were nevertheless strong indicators in survey results that young people wanted more access to state justice and that if issues around access were managed, they would seek to

make more use of those services, particularly in circumstances of violence. While cost and distance may have been factors impacting their access to justice in this community, other less tangible access issues (including levels of understanding, empowerment and other ‘soft’ barriers) also likely played a significant role in limiting access, particularly for young women.

The most comprehensive and rigorous survey was the recent baseline study of well-being in Vanuatu undertaken by the Vanuatu National Statistics Office (VNSO) as an important instrument for gauging progress with the National Sustainable Development Plan (NSDP) (VNSO 2021). Building on an earlier pilot study on indicators of well-being conducted in 2010–12, the survey included a wide range of questions. Of most relevance to this project were questions on literacy, disability, discrimination and on access to a working mobile phone, which was used as an indicator for gender equality and empowerment of women and girls. Although not directly about crime or safety, the results to these questions refer to factors that impact on access to justice. In brief, the survey results indicated:

- 6% of the population aged five and over had a disability, with the elderly most likely to have a disability, and that about one in five households has at least one member living with a disability.
- 84% of the population aged 12 and over said they could read and write in either English or French.
- 48% of females aged over 15 owned at least one mobile phone in working order, compared with 66% of males.
- 16% of the population aged 15 and over reported experiencing some form of discrimination in the

previous 12 months, with the most prevalent form based on family status, followed by religion and marital status.

More directly relevant questions canvassed accessibility of police posts and the level of trust in the police, plus indicators for whether the rule of law is consistently upheld and access to timely justice was available to everyone. The results to these questions are quoted where relevant in chapter 3 of this report.

Study methodology

The purpose of this study was to add to the evidence base for evaluating the extent to which the program EOPOs are met by VAPJP's scheduled completion in 2024. The baseline survey, which is reported on here, will be replicated in 2024 to provide indicators of change and the impact of the program. The three key questions that this baseline and its 2024 version seek to address are:

- To what extent has the quality and reach of policing and justice services to Vanuatu communities changed, particularly for domestic violence related incidents affecting women, men, youth, children and vulnerable groups (including persons with disabilities)?
- To what extent has access to policing, justice and community services changed for women, men, children, youth and vulnerable groups (including persons with disabilities)?
- To what extent are the institutions protecting the rule of law functioning in Vanuatu, and to what extent is security and stability being maintained or threatened by external factors in the context?
- Based on consultations with program staff, it was clear that a particular interest lay in indicators of change regarding domestic violence related incidents and in respect of the challenges confronting persons with disabilities.
- The approach taken to the baseline study was to have specialist researchers – the authors – assist with the design of the survey and to analyse the results, with the local program staff responsible for the implementation of the survey and convening focus groups.

Community perceptions survey

The questionnaire was developed in consultation with program staff and after a review of previous surveys in Vanuatu (Pacific Institute of Public Policy 2011) and the region that focused on the law and justice sector (AusAID and UNDP 2019; Sustineo 2018; The Asia Foundation 2015). A copy of the questionnaire can be found in Appendix 1.

The telecommunications company Digicel (Vanuatu) was successful in winning the contract to conduct the phone-based survey. A quota sampling frame based on national population census demographics was used to obtain a cross-section of the population based on sex, age and location. Training was held with call-centre staff who then contacted people aged 18 and over to see

if they were willing to answer the questions. Conducted over several weeks in mid-2022, the company reported a high response rate, with few people choosing not to participate or dropping out during the course of the interview. A clean and de-identified Excel spreadsheet of the results was provided to the authors, with the results then analysed using Statistical Package for the Social Sciences (SPSS) software.

The sample of 1016 adults was a good cross-section of the Vanuatu population. Almost half came from the provinces of Shefa and Sanma, slightly more than half

Table 1: Survey sample characteristics (% highest to lowest)

Characteristic	Percentage
Province	Shefa 28.1%, Sanma 21.0%, Tafea 19.5%, Malampa 16.2%, Penama 10.5%, Torba 4.7%
Area	Remote 47.7%, rural 26.5%, peri-urban 13.6%, urban 12.2%
Gender	Men 53.6%, women 46.4%
Age	20–29 years 40.1%, 30–39 27.1%, 40–49 14.4%, 15–19 8.7%, 50–59 6.1%, 60+ 3.7%
Marital status	Married 46.7%, single 27.8%, de facto 20.1%, single parent 2.8%, divorced 1.6%, widowed 1.2%
Employment	Unemployed 45.4%, employed 36.1%, student/trainee 9.0%, self-employed/business owner 6.5%, retired 2.3%, volunteer 0.8%
Level of education	Completed junior secondary 33.9%, primary to class 6 26.6%, primary to class 7 14.6%, senior secondary 11.6%, technical/vocational college 6.4%, tertiary university 3.7%, did not attend school 2.0%, kindy/preschool 1.3%
Role in the community	Not listed role 40.5%, not listed category of community leader 16.5%, youth leader 14.9%, church leader 13.1%, women leader 6.1%, chief 5.8%, child protection liaison 2.2%, police liaison 0.6%, authorised person 0.3%, island court magistrate 0%

Total n=1016

Source: Vanuatu-Australia Policing and Justice Services Study (VPJSS)

were male, two-thirds were aged 20 to 39 years of age, just under half were married, while a similar proportion were unemployed and more than a third had completed junior secondary school.

Focus groups

Nine focus groups were held in September 2022, facilitated by members of the Vanuatu-Australia Policing and Justice Program involving a total of 91 participants, of whom 46 were males and 45 females, including 10 males and two females who identified as living with a disability. The focus groups covered similar themes to those covered in the questionnaire and these related to perceptions of safety, social problems, help seeking, the management of disputes and problems, and access to justice and the police.

The focus groups with adults were held in a range of locations including Malo (Sanma), Fanafo (South Santo), Luganville (Santo), and Port Vila (Efate). The groups differed in terms of age and gender, and in area of residence, as well as being representative of a vulnerable or disadvantaged group and of those who support people who have been victimised. In summary they were:

- Three groups with adults – one with middle-aged and elderly men in a rural location (most of whom were chiefs), one in a remote location with women who ranged from young to elderly, and another with women who ranged in age from young to middle-aged in a remote rural location.
- A group in an urban setting with people with disabilities or those who support them. This group was associated with the Wan Smol Bag Rainbow Theatre.
- Four groups of young adults, two with females and two with males, in urban and peri-urban locations. These groups were organised through youth centres or Wan Smol Bag.
- A group of counsellors from the Vanuatu Women's Centre.

Limitations

A number of interruptions, mainly associated with travel restrictions and staff shortages, affected the study. This was less than ideal and led to it being conducted in a staggered and intermittent fashion. Compromises had to be made given these and other practical challenges. We believe that the sampling method used was sufficiently robust and that conducting interviews by phone was both cost-effective and ensured a relatively large sample.

Using a questionnaire that relied on multiple choice answers had obvious limitations, leaving no space for respondents to expand on their selections. Focus groups were a vital supplement to the survey, ensuring that key issues could be explored in more depth; however, it should be noted that a comprehensive thematic analysis was not undertaken of the group discussions.

The research team involved a collaboration between people in Canberra and those in Vanuatu using various platforms including email, Zoom and Microsoft Teams. Interpretation of the study findings reflects input from program staff in Vanuatu, as well as feedback from a stakeholder presentation. We are nevertheless cognisant that the report only skims the surface of diverse and complex themes and issues, and we offer it with humility, as a starting point for ongoing conversations about safety, policing and justice in Vanuatu.

Chapter 2 – Findings

Introduction

The findings presented in this chapter follow the main survey headings. These are perceptions of:

- Personal safety
- Social problems and disputes
- Domestic and family violence
- Police and crime victimisation
- Knowledge of the law and access to the formal justice sector
- Community management of problems.

Insights from the focus groups are included where they assist with the interpretation of the findings. Given the interest in vulnerable groups and in differences by gender and age, the results for key questions were analysed by socio-demographic variables — sex, age, and the respondent’s level of education, marital status, employment status, and role in the community. As only a small number of respondents identified as having a disability (n=34) the number was considered too small to include in the tests of association and difference. Further analysis examined the significance of the respondent’s province and type of area (urban, peri-urban, rural or remote) of residence at the time of interview. The analysis is included where relevant, with an emphasis on where the differences were statistically significant.

Personal safety

Respondents were asked a series of questions about how safe they felt in different situations, about the

safety of different social groupings and about which institution or person was viewed as most responsible and important for maintaining safety.

The majority of respondents felt either very or somewhat safe in the six listed situations, with the lowest proportion feeling safe during big celebrations (51.5%) and the highest proportion being at home either in the day or at night (96% and 91.2% respectively) (see Table 2).

Statistical tests were undertaken for the two situations where the respondents as a whole felt most unsafe; that is, walking around their community at night and during big celebrations.

In answer to the question ‘when you walk around your community at night time (after dark)’, the analysis showed:

- A statistically significant association between province and how safe people felt (see Figure 4)
- More people felt very safe in remote and rural areas compared to those in urban areas
- More men felt very safe compared to women who felt very safe (see Figure 5)
- Married people felt more safe while those in de facto relationships felt less safe compared with other categories of marital status.

There were no statistically significant differences found for age, employment or role in the community.

There was no significant difference by gender in relation to feelings of safety during big celebrations. However, the type of area and province were statistically significant in predicting differences among

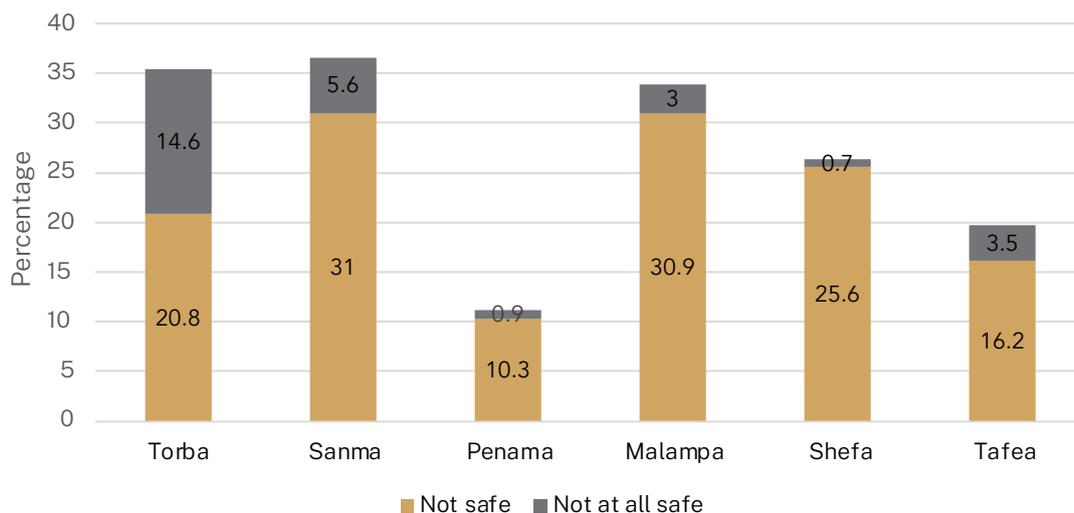
Table 2: Feelings of safety during six different situations, %

Situation	Very or somewhat safe	Not safe or not at all safe
	%	%
At home in the daytime	96.0	4.0
At home at night	91.2	8.8
Walking around their community in the daytime	90.7	9.3
At the weekend	84.2	15.8
Walking around their community at night time	72.7	27.3
During big celebrations	51.5	48.5

Total n=1016

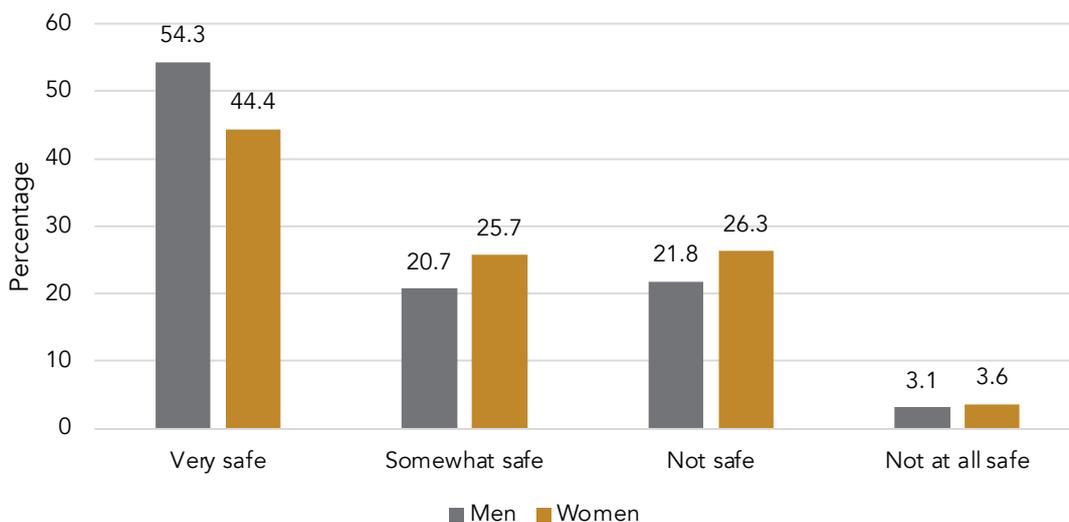
Source: VPJSS survey

Figure 4: Feeling unsafe walking around at night, by province, %



Total n=1016; Torba n=48, Sanma n=213, Penama n=107, Malampa n=165, Shefa=285, Tafea n=198
 Pearson chi-square test $p < 0.001$
 Source: VPJSS survey

Figure 5: Feelings of safety when walking around at night, by gender, %

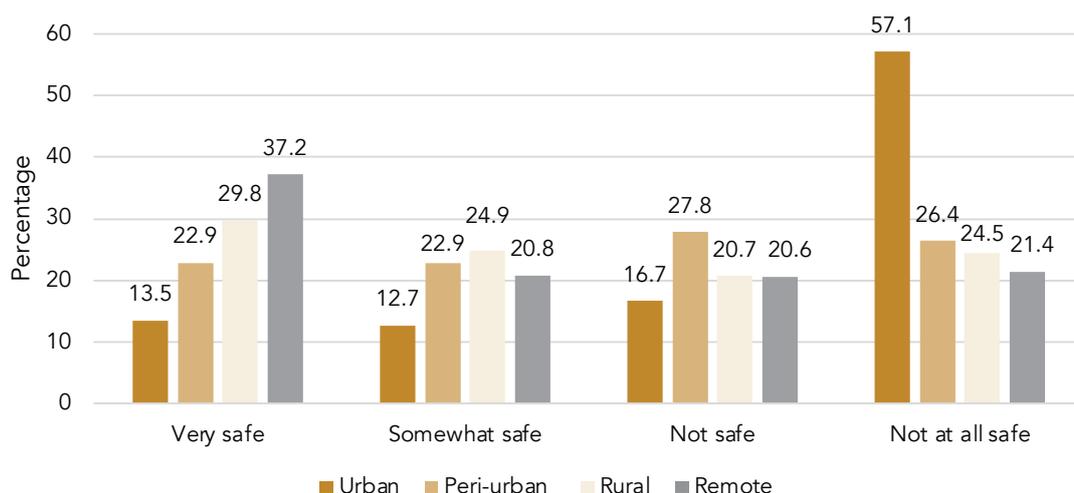


Total n=1016
 Source: VPJSS survey

respondents. Figure 6 shows the differences in feelings of safety during big celebrations by the type of area – that is, whether respondents live in urban, peri-urban, rural or remote locations – with more people in urban areas (57.1%) feeling not at all safe. In contrast, the largest proportion of people who felt very safe were in

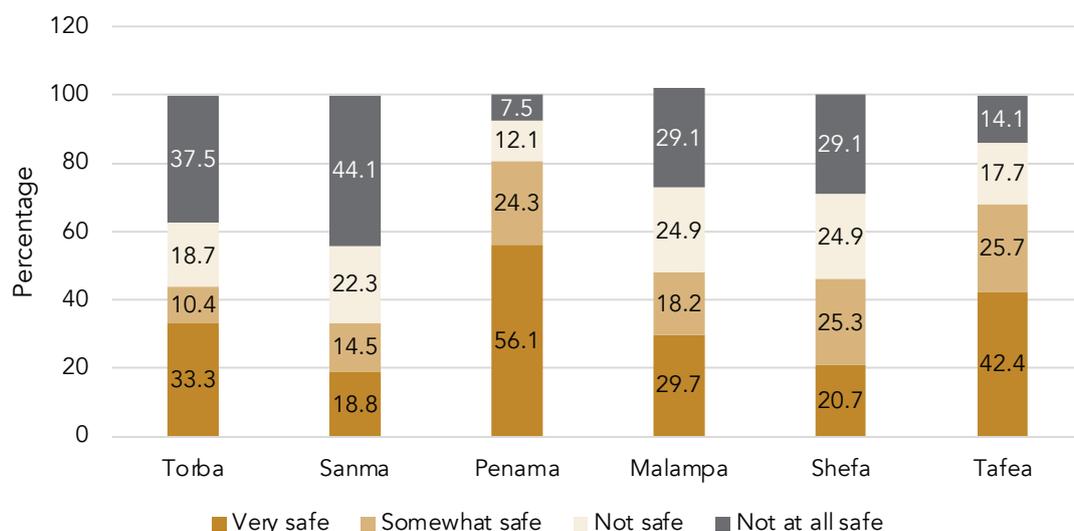
remote locations (37.2%). In terms of provinces, Figure 7 shows the proportion of respondents who felt very safe, somewhat safe, not safe or not at all safe during big celebrations, by province. In general, people in Penama felt safer, while those in Sanma were more likely to feel less safe during big celebrations.

Figure 6: Feelings of safety during big celebrations by area of residence, %



Total n=1016
 Pearson chi-square test $p < 0.001$
 Source: VPJSS survey

Figure 7: Feelings of safety during big celebrations by province, %



Total n=1016; Torba n=48, Sanma n=213, Penama n=107, Malampa n=165, Shefa=285, Tafea=198
 Pearson chi-square test $p < 0.001$
 Source: VPJSS survey

Safety of different social groups

The majority of respondents believed all of the 10 listed social groups were either very or somewhat safe at the time of interview, with men being seen as the safest, closely followed by women (see Table 3). Teenage girls were viewed as the least safe of the listed groups,

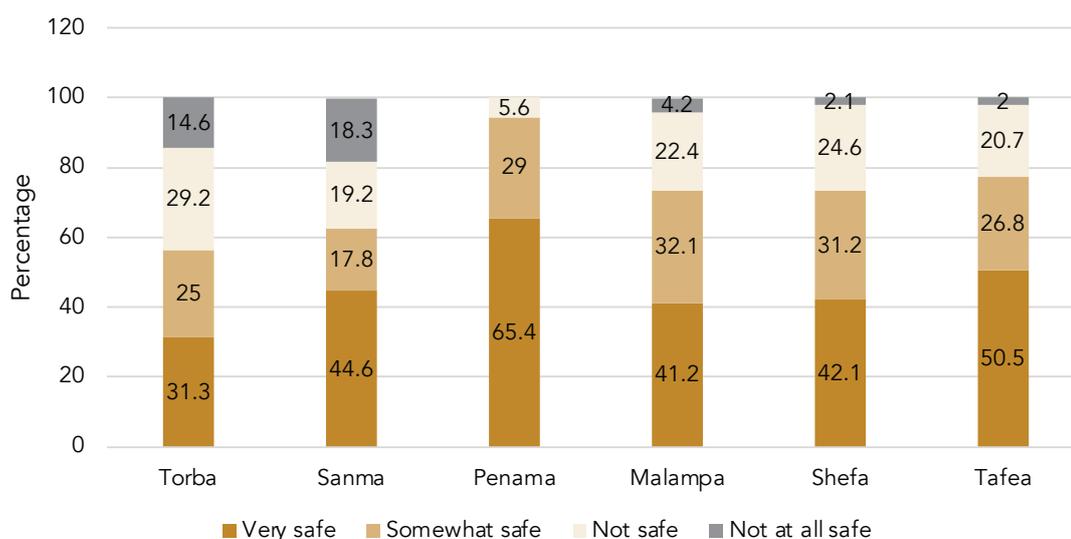
closely followed by teenage boys, although almost three-quarters of respondents thought they were either very or somewhat safe. Figure 8 shows the differences in perceptions of teenage girls' safety across the provinces; they were mostly viewed as safe in Penama but less so in Sanma and Torba provinces.

Table 3: Perceptions of safety of different social groups, %

Social group	Very safe	Somewhat safe	Safe: very or somewhat safe
	%	%	%
Men	65.1	22.4	87.5
Women	59.2	25.6	84.8
Elderly men	54.3	30.1	84.4
Elderly women	52.5	31.7	84.2
Single parents	54.6	26.0	80.6
Disabled people	51.5	28.7	80.2
Widows	48.8	31.6	80.2
Young children	50.8	28.1	78.9
Teenage boys	49.2	28.0	77.2
Teenage girls	46.1	27.2	73.3

Total n=1016
Source: VPJSS survey

Figure 8: Perceptions of teenage girls' safety by province, %



Total n=1016; Torba n=48, Sanma n=213, Penama n=107, Malampa n=165, Shefa n=285, Tafea n=198
Pearson chi-square test $p < 0.001$
Source: VPJSS survey

Although all of the listed social groups were viewed by the majority of respondents as either very or somewhat safe, the focus groups revealed more nuanced accounts of the circumstances in which different groups feel fearful or are concerned about their safety, and the source of their anxiety.

A focus group with women in a remote location underlined how women's fear of crime had affected their willingness to go alone to their gardens:

The number of crimes have increased; women are no longer going alone to their gardens, only in groups because there are too many men in the bush smoking marijuana, threatening or abusing women who are going to the gardens alone.

(Focus group notes, women, remote area)

Table 4: Perceptions of how responsible various groups or agencies are for maintaining safety in the community, %

	Very responsible	Somewhat responsible	A little responsible	Not responsible
	%	%	%	%
Family member	68.9	13.6	15.4	2.2
Church member	64.5	17.1	15.5	3.0
Chiefs	55.0	10.2	22.3	12.4
Police	42.3	15.0	30.5	12.2
Government agency	31.8	16.4	37.6	14.2
Island courts	28.2	12.4	30.2	29.1
Magistrate's courts	27.2	11.5	30.7	30.6

Total n=1016
Source: VPJSS survey

Young adult males in an urban setting explained that young people feel unsafe in the following situations:

- There are a lot of people on the road that stop us and ask for money, and it becomes unsafe to walk around when it is dark, especially for women. There were two rapes in one of the communities in 2021.
- It is hard to identify the person who is attacking or threatening in the dark – especially when there are no streetlights, because they have all been destroyed.
- Once the nakamal is closed, the roads become too dangerous.
- People bring their bad habits to new communities.
- Mostly young people – even children – make them feel unsafe.

(Focus group notes, young men, urban area)

In the focus group with people who had personal experience of disabilities the following comments were made about feelings of safety:

I feel safer in my home island community where I get support, in town it is not the same – there is no support.

Usually feel safe, but there are some family members that talk strong to people with disabilities; some are living in homes with violence, one had money stolen from their bank account by a family member.

(Focus group notes, people with disabilities, urban area)

What made the participants with disabilities feel safe included the support of family and community members sometimes helping out. The Rainbow Theatre group clearly played an important role in providing

support and help, describing themselves as one big family. However, a range of negative experiences were recounted, including lack for support and stealing of money by family, difficulties in finding and using public transport and footpaths not being easy to navigate.

Responsibility for and maintaining safety

Out of seven listed institutions or social groups, responsibility for maintaining safety in the community was seen as largely lying with family members, with 82.5% of respondents saying they were very or somewhat responsible, and church members with 81.6% saying they were very or somewhat responsible (see Table 4). The least likely to be seen as responsible were Magistrate's Courts, with only 38.7% indicating they were very or somewhat responsible.

Family and church members were also viewed as the most important for maintaining safety, but chiefs were nearly as important (see Table 5).

Table 6 distinguishes between the groups or agencies which were seen as very or somewhat responsible and those that were viewed as very or somewhat responsible for maintaining safety in the community. Chiefs, along with the various agencies or institutions in the law and justice sector, were viewed as very or somewhat important by more than two-thirds of respondents, but they were less likely than family or church members to be seen as very or somewhat responsible. This difference could be interpreted in a number of ways, but our view is that the police and courts and government agencies are less likely to be seen as directly involved in the day-to-day maintenance of community safety, in large part because they are not present or easily accessible. In contrast, the presence and accessibility of chiefs as well as socio-cultural beliefs about their role in community governance contribute to the perceptions of them being more important, although primary responsibility is attributed to family and church members.

Table 5: Perceptions of how important various groups or agencies are for maintaining safety, %

	Very important	Somewhat important	Not important	Not at all important
	%	%	%	%
Chiefs	77.4	12.8	7.1	2.8
Family member	72.7	21.0	5.9	0.4
Church member	69.8	22.2	7.7	0.4
Police	66.0	16.8	14.1	3.1
Government agency	59.4	20.5	17.6	2.6
Island courts	56.9	14.1	15.4	13.7
Magistrate's courts	56.9	13.0	15.6	14.5

Total n=1016

Source: VPJSS survey

Table 6: Perceptions of which group or institution is viewed as very or somewhat important or responsible for maintaining safety in the community, %

	Very or somewhat important	Very or somewhat responsible
	%	%
Family member	93.7	82.5
Church member	91.9	81.6
Chiefs	90.2	65.2
Police	82.8	57.3
Government agency	79.9	48.2
Island courts	71.0	40.6
Magistrate's courts	69.9	38.7

Total n=1016

Source: VPJSS survey

Social problems and disputes

Respondents were asked to rate a list of social behaviours or disputes, on a scale of one to five, where five (5) represented a big problem and one (1) no problem, on whether they saw them as a social problem in their village or neighbourhood. Out of a list of 18 social behaviours or disputes, there were clusters of behaviours that were viewed as big problems, with drug and kava use being the most common. A second cluster consisted of alcohol fuelled violence, threatening language or behaviour, drunkenness, young men out of control, black magic and land disputes.

Social problems and feeling unsafe

Two of the focus groups were with women of varying ages, one in a remote location and the other in a rural/remote location. These revealed that some women identified that the biggest social problems were similar to those listed in Table 7, namely drunk people fighting, marijuana, homebrew and kava use; and drunk people fighting and fighting over land use. However, a range of issues were raised that did not appear as major problems in the survey results. These were gendered problems that included violence against women, lack of financial support from men, underage marriage and underage parents, incest, and people living with a disability becoming pregnant after a rape.

Table 7: Perceptions of what are big social problems in the village or neighbourhood, %

Social problem	Big problem %
Kava use	54.6
Drug use	47.3
Land disputes	35.0
Drunkenness	31.0
Young men out of control	29.7
Black magic/witchcraft accusations	27.4
Alcohol fuelled violence	26.8
Threatening language or behaviour	26.2
Damaging property or garden	19.1
Chiefly title dispute	19.0
Fights	19.0
Cyber-based sexual violence	17.3
Domestic violence	14.2
Drunk driving	14.0
Money disputes	13.9
Sexual violence or abuse	12.6
Child abuse	10.8
Vehicle accident	9.5

Total n=1016
Source: VPJSS survey

Marijuana use was viewed by one group of women as having increased, and it was directly linked to people feeling less safe during festivities:

If there are festivities in the community then the number of people who smoke is higher (day and night) and community members feel less safe during this time. In addition there is a lot of theft in the communities because houses are left unguarded while celebrating in the village centres.

(Focus group notes, women, rural/remote)

A focus group with men in a rural area revealed that they too saw alcohol and marijuana use and drunken fights as big social problems, along with property damage, theft and parental neglect of children. A big problem was seen as being the lack of respect for the authority of the chiefs.

Table 8 presents the social problems that were raised during the four focus groups with young people in urban and peri-urban locations. Issues were similar to those identified in the survey including fighting, violence and theft. The young women were more likely to refer to family problems and violence, including divorce, separation, the neglect of children, and domestic violence. The young women attributed the social problems, as a whole, to high unemployment, drug misuse, and a lack of trust between communities and with police due to abuse of power and unfairness.

Young men in a rural area also referred to unemployment but specifically among youth, which they saw as leading to feelings of not having a purpose in the community. In addition they saw social media and the experience of working overseas as changing mindsets and behaviour.

Table 8: Identified social problems: From focus groups with young people in urban and peri-urban locations

Focus group	Problems
Female, peri-urban	Drunk youth out of control Fighting Damaging cars, also police cars Divorce and separation Begging Theft
Female, urban	People selling land that is not theirs General disorder – fights, noise (loud music), underage drinking and smoking marijuana, youth gang fights Theft Domestic violence, repeat domestic violence Children not taken care of and not fed
Male, urban	<u>Peri-urban</u> Noise disturbance (drunk and loud music) usually from people coming into the community to live and who don't respect other residents Stealing and forcing to give money Forcing to give money to pass through a place – worse for girls when it's dark <u>Urban</u> Drunk people fighting Rape of young girls Very young people making trouble
Male, peri-urban	Drunk people out of control Underage drinking Fighting and violence between men and women Marijuana Stealing Night-time especially is unsafe, especially waterfront where the [name] bar is operating

Source: Focus group notes

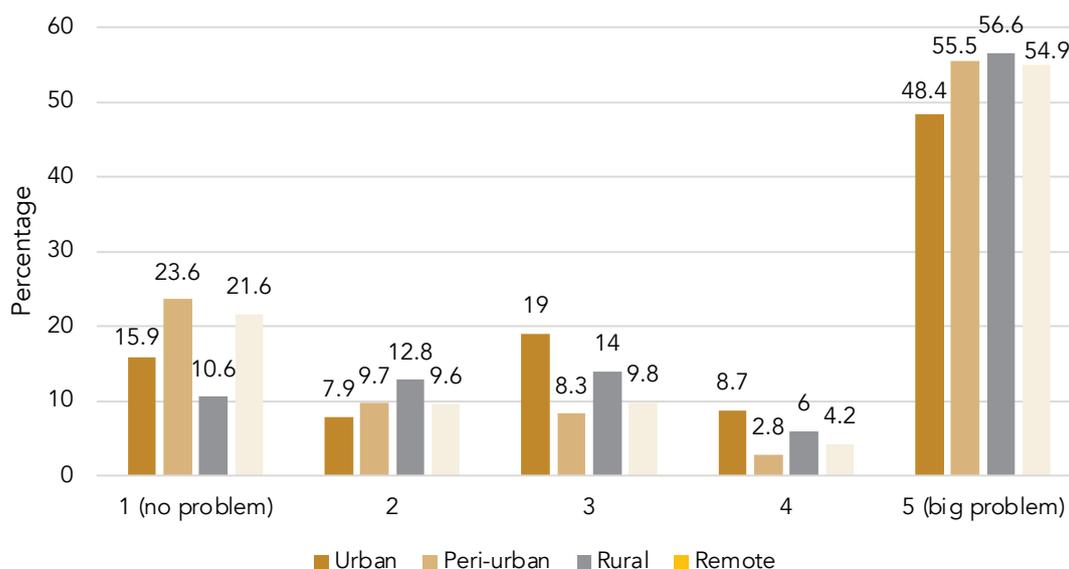
Kava use

The most common big social problem according to respondents was kava use. This needs to be interpreted with caution as it may not necessarily be the practice of drinking kava that is perceived to be the cause of problems, rather other problem behaviours associated with patterns of use such as drinking kava until late, spending family money, or not being in the home to help with family obligations. Statistical tests revealed significant differences by the area of residence and by province. Figure 9 shows that just over half of the respondents thought that kava use was a big problem in remote, rural and peri-urban areas, with a

slightly smaller proportion (48.4%) in urban areas seeing it as a big problem. In Figure 10, where the perceptions about kava use as a problem are presented by province, it appears that people in Sanma (39.4%) and in Malampa (33.3%) are more likely to see no problem compared with the other provinces, while a large majority saw it as a big problem in Torba (81.2%), Penama (84.1%), Shefa (60.3%) and Tafea (65.1%).

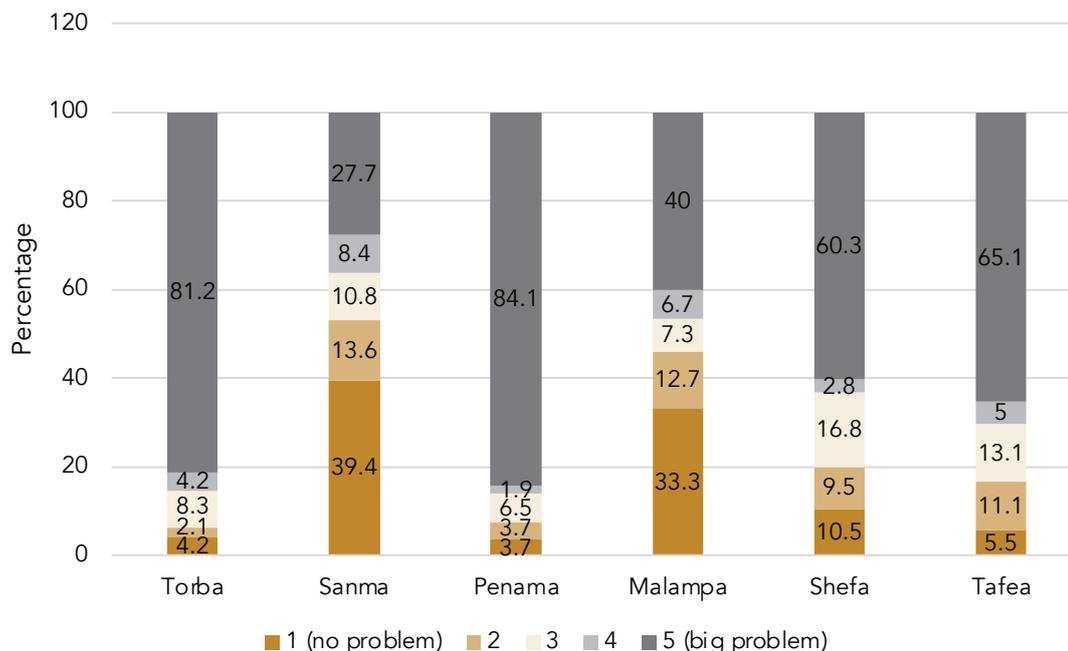
In focus groups with young people, marijuana was mentioned often as a big social problem (see Table 8) and this corresponds with the survey results on 'drug use', which was ranked as the second most common big social problem.

Figure 9: Perceptions of how much of a problem kava use is, by type of area, %



Total n=1016; urban n=124, peri-urban n=138, rural n=269, remote n=485
 Pearson chi-square test $p < 0.001$
 Source: VPJSS survey

Figure 10: Perceptions of how much of a problem kava use is, by province, %



Total n=1016; Torba n=48, Sanma n=213, Penama n=107, Malampa n=165, Shefa n=285, Tafea n=198
 Pearson chi-square test $p < 0.001$
 Source: VPJSS survey

Domestic and family violence

Prevalence of domestic and family violence

Of those respondents who said they had experienced crime in the past year, which was less than 14% of respondents, 13.6% said domestic violence was the most recent crime (see Table 15). This amounts to 19 respondents out of a total of 1016 adults. This appears to be a small number, although in the focus groups with women it was identified as a social problem and it was stressed that there is pressure not to report it to police, which may mean that respondents are reluctant to report or do not see it as a serious crime:

Level of confidence is low, they are afraid of the consequences they might face from the family, other community members or offender if they go and see the police.

(Focus group, women, rural/remote)

Statistical tests indicated there were differences in the degree to which domestic violence was viewed as a social problem, by the type of area of residence (see Table 9), and province (see Figure 11), but that differences by gender were not significant (see Table 10). Table 9 shows that, in total, just one-third of respondents said there was no problem with domestic violence, with the

Table 9: Perceptions of how much of a social problem domestic violence is in the village or neighbourhood, by area of residence, %

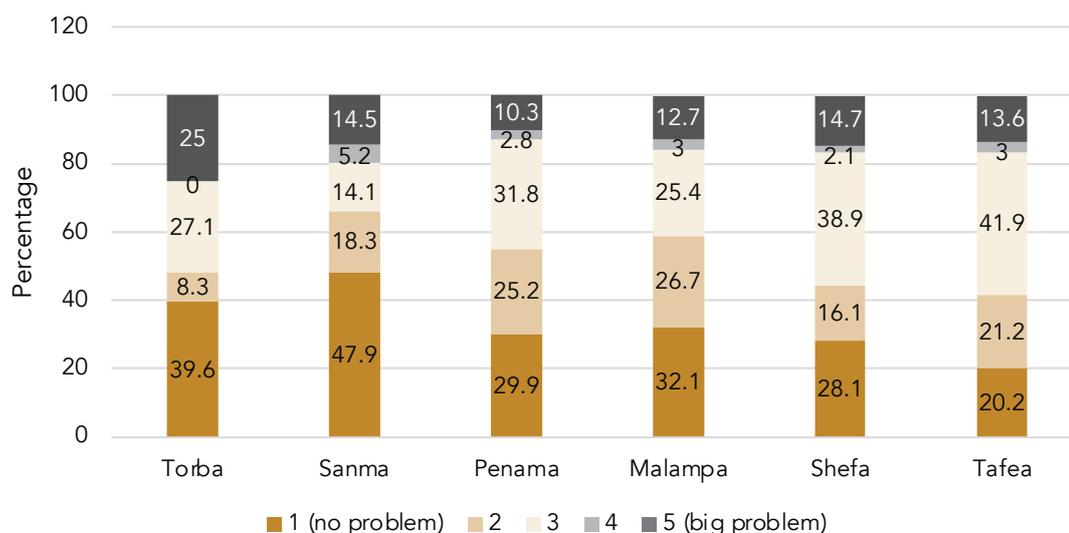
	Urban		Peri-urban		Rural		Remote		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
1 (no problem)	36	28.6	67	46.5	71	26.8	152	31.6	326	32.1
2	23	18.2	25	17.4	53	20.0	101	21.0	202	19.9
3	44	34.9	21	14.6	94	35.5	154	32.0	313	30.8
4	6	4.8	5	3.5	10	3.8	10	2.1	31	3.0
5 (big problem)	17	13.5	26	18.0	37	14.0	64	13.3	144	14.2
Total	126	100.0	144	100.0	265	100.1	481	100.0	1016	100.1

Total n=1016

Pearson chi-square test p < 0.01

Source: VPJSS survey

Figure 11: Perceptions of how much of a social problem domestic violence is in the village or neighbourhood, by province, %



Total n=1016; Torba n=48, Sanma n=213, Penama n=107, Malampa n=165, Shefa n=285, Tafea n=198

Pearson chi-square test p < 0.001

Source: VPJSS survey

Table 10: Perceptions of how much of a social problem domestic violence is in the village or neighbourhood, by gender, %

	Male		Female		Total	
	No.	%	No.	%	No.	%
1 (no problem)	183	33.6	143	30.4	326	32.1
2	120	22.0	82	17.4	202	19.9
3	156	28.6	157	33.3	313	30.8
4	19	3.5	12	2.5	31	3.0
5 (big problem)	67	12.3	77	16.3	144	14.2
Total	545	100.0	471	99.9	1016	100.0

Statistically not significant, Pearson chi-square test $p < 0.61$

Total n=1016

Source: VPJSS survey

Table 11: Perceptions of how common various forms of domestic and family violence are in the local community, %

	Never	Sometimes	Most of the time	All of the time
	%	%	%	%
Women using violence to resolve issues with men in their homes	51.9	44.4	3.1	0.6
Men using violence to resolve issues with women in their homes	19.6	69.8	8.1	2.6
Parents using violence to resolve issues with youth or children in their homes	28.9	53.1	12.2	5.8

Total n=1016

Source: VPJSS survey

highest proportion saying it was no problem in peri-urban areas (46.5%). However, the peri-urban areas also had the highest proportion of respondents (18%) who said it was a big problem in their neighbourhood. Figure 11 presents the answers to the same question by province. In the provinces of Sanma and Malampa more than half of the respondents said there was no or a little problem (66.1% and 58.8% respectively) while in Torba Province one-quarter of the respondents said domestic violence was a big problem. Many of those respondents that self-identified as chiefs or leaders in their community perceived domestic violence to not be a big problem in their community, with half of these respondents saying it was no problem or a small problem.

Table 11 presents the response to the questions that related to how common various forms of domestic and family violence are perceived to be in the local community. The results indicate that parental use of violence against youth or children in their homes was seen as more

frequent (18% said it was most or all of the time), but that the most widespread, albeit less frequent form, was men using violence against women in their homes with 69.8% indicating it occurred sometimes. In contrast, more than half of the respondents (51.9%) said that women never use violence against men in their homes.

Attitudes to domestic and family violence

As Table 7 showed, domestic violence was relatively low on the list of big problems in the local community (13th out of 18 items).

A number of questions asked whether using violence was justified in scenarios varying the gender and relationship of the victim and perpetrator. Table 12 shows very little difference between the scenarios, with just over one in 10 respondents believing it was justified in each. When cross-tabulated with the gender of the respondent, no statistically significant difference was found.

Table 12: Attitudes towards whether domestic violence is justified depending on the relationship and sex of the victim and perpetrator, %

Q: Do you think it can be justified...	Yes	No
	%	%
Men using violence to resolve issues with wives/partners	14.7	85.3
Women using violence to resolve issues with husbands/partners	12.6	87.4
Men using violence to resolve issues with youth/children	15.7	84.3
Women using violence to resolve issues with youth/children	15.2	84.8

Total n=1016
Source: VPJSS survey

First person or service to go to for help

Chiefs were the first person or service that the overwhelming majority (70.3%) would first go to for help if the respondent or someone in his or her family was a victim of violence by a partner (see Table 13).

In multiple focus groups the chief was identified as the first point of contact for community members, and according to women in a focus group in a rural location, they try to sort out the problem and if no solution is found they refer to the police. It was also stated in several focus groups that if it is a big problem or there are repeated incidents of domestic violence, the chiefs may also refer to the police. In groups in a remote and in a rural location, women said a pastor advocates for better communication, and women leaders and trusted family can often help solve issues. Young women in a peri-urban location said that some victims do go directly to the police.

Table 13: Person or service that respondents would first go to for help if the respondent or someone in his or her family was a victim of violence by a partner, %

Person or service	%
Chiefs	70.3
Police	12.9
Family member	11.7
Village council/nakamal	1.9
Church leader/member	1.8
Vanuatu Women's Centre	1.0
Friend	0.2
Other	0.2
Authorised person	0.1

Total n=1016
Source: VPJSS survey

Whether to report to police

Only slightly more respondents (75.5%) thought women should report violence that is done to them by husbands/partners to the police compared with the proportion (72.4%) that thought men should report violence that is done to them by wives/partners.

Awareness of legal, policing and justice responses to domestic violence

The extent of respondents' knowledge varied across different responses to domestic and family violence. The proportion that knew of the response, in descending order, were:

- 80.7% knew that domestic and family violence is against the law.
- 62.7% had heard about temporary protection orders or family protection orders.
- 57.5% had heard of the Family Protection Unit (FPU) in the police.
- 46.1% had heard of the Family Protection Act.
- 18.5% had heard of Authorised Persons under the Act.

The trial of Authorised Persons under the Act has only occurred in a single province, Sanma. In this province, 28.3% of respondents had heard of them.

Use and satisfaction with the responses

Of those that had heard of the FPU, 10.6% had sought assistance from the FPU in the past 12 months. Of the 62 respondents who had sought assistance from the FPU, the most common form of contact was through a phone call to the police (35.5%), direct contact at a police station (30.6%) and the Vanuatu Women's Centre (17.7%).

Only a small number of respondents (n=8) had sought help from an Authorised Person in the previous 12 months, and of these, five were either very satisfied or satisfied with the help provided. A larger number (n=26) had applied for a temporary protection order or family protection order in the past 12 months, and just under half (n=12) said they had obtained one. Of the 12, the majority said it was very easy (n=4) or somewhat easy (n=3) to get an order. Of the 12 that obtained an order, 10 (five men and five women) said they felt safer as a result of the order, while two women from Malekula did not.

Policing and crime victimisation

Changes in policing in past two years

Compared to two years ago, the majority of respondents thought the Vanuatu Police Force had improved in relation to the six functions or goals presented in the survey, with between 62% and 70% saying they had (see Table 14).

Accessibility of police

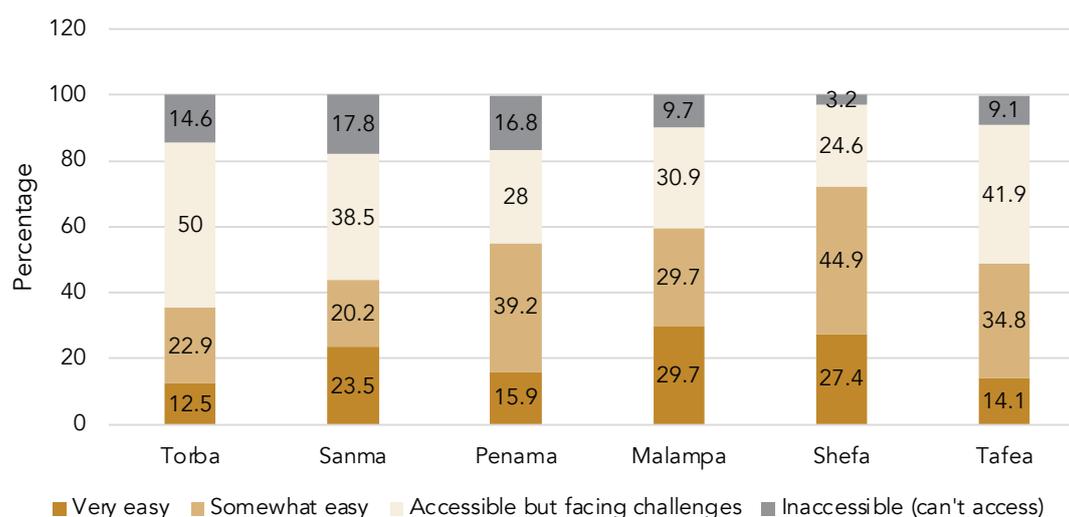
More than half (56.1%) of the respondents said that it is either very easy or somewhat easy to access police services when they need them, one-third (33.5%) said they were accessible but faced challenges, and one in 10 (10.4%) said they were inaccessible. Figure 12 shows the perceived ease of access to police by province, with Torba, Sanma and Penama having the highest proportion of respondents saying the police were inaccessible (14.6%, 17.8% and 16.8% respectively).

Table 14: Perceptions of whether the Vanuatu Police Force has improved, stayed the same or is worse, in terms of various policing functions, %

Functions or goals	Improved	Stayed the same	Got worse
	%	%	%
Keeping communities safe	69.6	25.9	5.9
Reducing the level of crime in Vanuatu	67.6	26.3	7.2
Improving community interaction with police	65.5	27.5	7.1
Providing appropriate services to victims of sexual violence/abuse	65.5	27.8	6.8
Providing appropriate services to victims of domestic/family violence	64.4	28.3	7.3
Meeting the needs of the community	62.2	29.8	8.0

Total n=1016
Source: VPJSS survey

Figure 12: Perceived ease of access to police, by province, %



Total n=1016
Pearson chi-square test $p < 0.001$
Source: VPJSS survey

Crime victimisation

A minority of respondents (13.8%, n=140) said they had been a victim of crime in the last 12 months. Of those that said they had been a victim of crime, the most recent type of crime selected out of the list of eight categories was assault (23.6%) followed by threatening behaviour (16.4%) (see Table 15).

Table 15: Most recent crime of those reporting being a victim of crime in the last 12 months, %

Crime	%
Assault	23.6
Threatening behaviour	16.4
Theft	15.0
Domestic violence	13.6
Criminal trespass	12.9
Property damage	12.1
Sexual violence	3.5
Break in (unlawful entry)	2.9

Total n=1016

Source: VPJSS survey

Of the 140 respondents who said they had been a victim of crime in the last 12 months, just over half (55%, n=77) said they had made a formal report or statement of this crime to the police. Of those that did not report it or make a statement (n=63), the most common reason selected out of nine options presented in the survey was that the respondent had dealt with it himself or herself (44.4%) (see Table 16).

Table 16: Reasons for not making a formal report or statement to the police after being a victim of crime, %

Reason	%
Dealt with it myself	44.4
The crime was not important	28.6
Other	22.2
Prefer to contact someone else for help	17.5
They might make the situation worse	7.9
They are not interested or willing to help	4.8
Don't trust them	3.2
They don't have the right skills or equipment	1.6

n=63

Source: VPJSS survey

If the crime had been reported (n=77), more than half were either very satisfied (26%) or somewhat satisfied (26%) with the way the police handled the report.

Issues raised about police in focus groups

In the focus group composed of people with disabilities in an urban area, many of those present had or personally knew someone living with a disability that had made a complaint to police of being assaulted (stoned or hit) this year. All were satisfied with how the police responded. More broadly, participants said there was a high trust in police services, with the police reaching out to disability representatives, and a good 'two-way relationship' established between police and the community with the opening of the new suburban police post in Freswota, Port Vila. There was also satisfaction with the way police handled a very serious sexual assault against an able daughter with the offender now in prison.

There were a number of criticisms of police including that the 'process is very slow', that they do not come when called because of transport issues, that they do not recognise that someone has a disability (for example, blindness) and therefore could not make witness statements, and that the new police recruits (Class of 2021) were arrogant. Recent police recruits were also criticised in the focus groups with young people, specifically from peri-urban and urban areas, they clearly felt that the police often did not respect young people, as the following notes illustrate:

- There is a lack of respect from police officers towards youth. Police are supposed to help the people, but they do not respect the youth. There is a lack of appropriate, professional language used by the police. Youth also show a lack of respect towards police because of many incidents where police have not followed the law, especially young police recruits. Older police officers are widely respected. Sometimes the police confiscate the alcohol of youth for their own use to drink behind the station (mostly the young, new recruits).
- Some issues are not taken seriously, and the offender will be beaten up by police instead of taking him/her away especially if it is an offender who committed multiple crimes.
- Police not reachable or not turning up when called: the phone line often remains unanswered. Occasionally when they pick up the phone they do not show up – sometimes because there is no fuel for the policing truck. This reduces confidence in the police.

(Focus group notes, young men, peri-urban area)

Police confiscate (tip out) alcohol when there are gatherings of youth. Police are not respectful.

(Focus group notes, young men, urban area)

Across the focus groups, there was heavy criticism of the police response to requests for assistance following an incident of domestic violence. Police practice

reported through the focus groups is usually to remove the woman from the situation to resolve the issue without arresting the offender. A group of young women in an urban area explained how they did not necessarily trust the police with domestic violence cases, and were afraid of what might be the consequences if they called police for a domestic violence incident:

- Young women are frightened to call police, it is hard to trust the process for domestic violence cases. Due to the fear of calling the police, the man is likely to get back at them and there is a fear of witchcraft. Repeated domestic violence offenders are not being taken to court.
- They do not know what the process is and are afraid of consequences and what will happen. A concern is that if the police is called, the person making the call will be arrested.
- There is low trust that the issue will be resolved. The example was given of where the women reported a man for domestic violence, the man took away the child and the child is still with the man, as the police did not follow up.

(Focus group notes, young women, urban area)

The following explanation was given for why women contact police:

When women contact the police they usually want some action taken immediately — sometimes for their safety and sometimes just to resolve a dispute. When the police drop them at the Vanuatu Women’s Centre it is not always a domestic violence case, some are family disputes. If women are contacting police it is usually because they feel that the family has some bias against them and they will not be treated fairly by their family.

(Focus group notes, Vanuatu Women’s Centre counsellors)

A focus group with women in a rural/remote area said police should be called if there was a very violent fight or property damage, when the chief or community is not able to solve the problem or when domestic violence ‘gets out of control’. The main benefit was seen as the police stopping fights because of people’s fear of prison, and it was noted that the regular police rotation had reduced the problem of drunken youth, but not marijuana. The main barriers to involving police were identified as fear of consequences, including from the offender, and the distance to the nearest police post.

The focus group with men in a rural area said that police were called when there are serious problems, and the main benefit was that people, including youth, respect and, in some instances, fear the police. One obstacle was that the community needed to pay the

transport costs for police to attend the island, and that even though they had been requested to come they only came sometimes, or after some days delay.

In a focus group with women in a remote area it was explained that victims of domestic violence would not have the confidence to access police because of the ‘need to pay them to come to the community’. They said police were called to help with ‘big issues such as the kidnapping of children by one parent after separation’. They were positive about police involvement, saying ‘when they come, they work good and solve problems’. However, the police were criticised for often coming very late and of being slow to process cases, and the main barriers to them being involved were named as lack of money to fund the police to come to the community, and the distance to police posts.

Police are responsible for serving protection orders within 28 days of them being issued by the court; however, it was reported in a focus group that there is a growing mistrust of the value of protection orders because they are not being served in a timely manner and that breaches of protection orders are not being followed up by police.

Contact with police

Respondents had contacted the police for reasons other than to report the most recent crime in the past 12 months, with almost twice as many, 120 (11.8% of the sample), saying they had contacted the police in the last 12 months. The most common method was making a phone call (67.5% of those who had contacted the police). In contrast, 23.3% had either gone to a police station or to a police post (see Table 17).

Table 17: How contact was made with the police in the last 12 months, number and %

Contact	Frequency	Percentage
Phone call	81	67.5
Went to the police station	15	12.5
Went to the police post	13	10.8
Talked to an officer who was walking around	6	5.0
Other	5	4.2
Total	120	100.0

Source: VPJSS survey

Of those that had contacted the police in the last 12 months, almost two-thirds (65.9%) were either very satisfied or satisfied with the way the police handled the enquiry (see Table 18). In the focus groups, where the participants had had direct contact with the police about a specific matter or where they knew the police had actually attended, they usually had mixed reactions to the way it was handled.

Table 18: Level of satisfaction with the way police handled their enquiries, number and %

Level of satisfaction	Frequency	Percentage
Very satisfied	38	31.7
Satisfied	41	34.2
Not satisfied	16	13.3
Not at all satisfied	25	20.8
Total	120	100.0

Source: VPJSS survey

Police women

In the focus groups participants were asked what difference it would make having more police women in their community/island. The majority of groups across the various locations were positive, and would like to see more police women, as the following notes demonstrate:

It would have a positive impact for the women in the community and they can also talk to women about drug issues. Police women might be able to solve crimes better and respond to the community more responsibly as there has been no change in the policing services that are mainly run by male police officers.

(Focus group notes, men, rural area).

Yes, it would be good, because the women would feel more confident to share their stories with another woman. Male officers are sometimes intimidating, and women are too afraid to report all important information. However, in violent situations, it would be safer for male officers to be present.

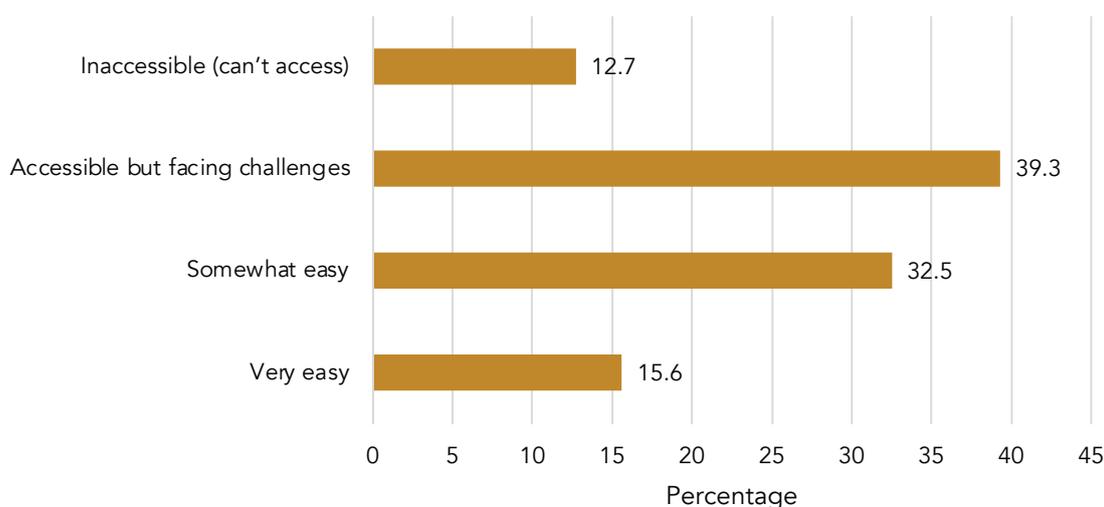
(Focus group notes, women, remote area)

Yes, that would be good because it is easier to talk to a woman than a male police officer but it would be better to have a male police officer when they are community fights.

(Focus group notes, women, rural/remote area)

In the two focus groups with young women, however, although they said women felt 'more comfortable' with police women, they did not support having more police women, primarily because they are 'not respected especially by male youth' and 'they cannot really handle a fight'.

Figure 13: Perceived ease of access to justice services when they are needed, %



Total n=1016
Source: VPJSS survey

Knowledge of the law and access to the formal justice sector

More than three-quarters of the sample (78.1%) said they knew a little bit about Vanuatu’s laws, while 11.7% said they knew nothing, 8.1% some, and 2.2% a lot/expert.

Only in one of the focus groups did knowledge of the law come up. In the focus group with the young men in a peri-urban location they said there was a lack of understanding of what the law is – that is, what is lawful and what is unlawful. A more common theme among the groups was the lack of awareness of justice services. There were references to a lack of awareness of different justice services and the lack of clarity about the availability of services and where they were located. Several groups also mentioned illiteracy as a barrier to accessing justice services.

More than one in 10 respondents (12.9%) had sought advice about the law and/or legal issues in the past 12 months.

A large majority of all respondents were very satisfied (23.3%) or somewhat satisfied (61.5%) with how the government of Vanuatu provides justice services in their community. More than half (57.8%) thought that justice services in Vanuatu had improved in the last two years, while more than a third (38.8%) thought they had stayed the same.

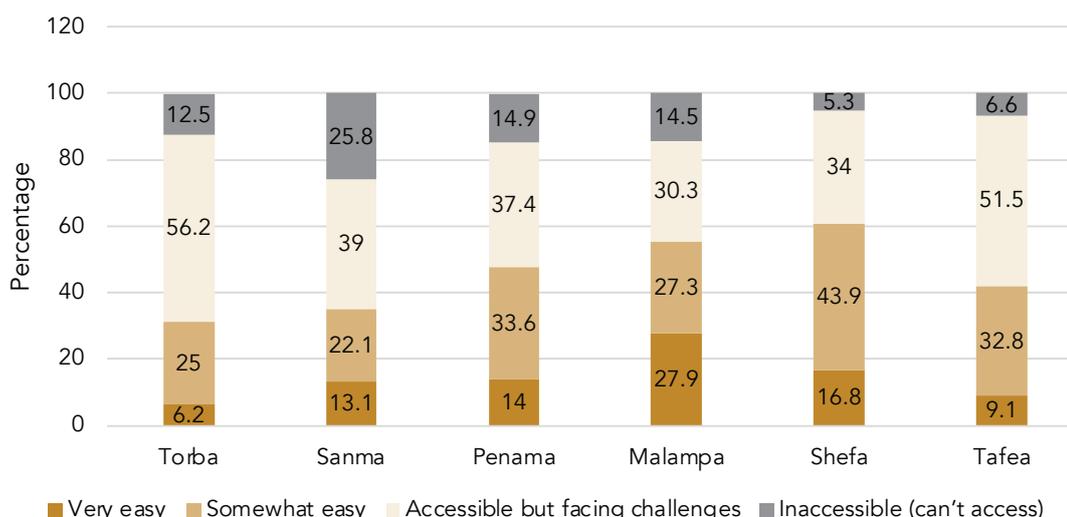
The majority of respondents (71.8%) believed justice services were either somewhat easy to access when they were needed (32.5%) or accessible but facing challenges (39.3%) (see Figure 13). When these results were cross-tabulated with province, there was a statistically significant difference with, for example, Malampa having the highest proportion of respondents that said access was very easy (27.9%) while Sanma had the highest proportion that indicated the justice services when needed were inaccessible (25.8%) (see Figure 14).

Contact with justice services

Very few respondents reported having had contact with listed justice services in the last 12 months, with 92.2% saying they had none. Respondents may have had contact with more than one service in the last 12 months and could choose more than one category. The most common service that was contacted, out of the list of seven services, was the Public Solicitor’s Office and only 15 people (1.5% of the sample) said they had contact (see Table 19).

The low numbers that reported having contact with formal justice sector agencies is reflected in the answers to separate questions about ease of access to individual services – the Public Solicitor’s Office, the Office of the Public Prosecutor, the courts, the Child Desk, the Disability Desk, the Department of Women’s Affairs, and the Department of Correctional Services.

Figure 14: Perceived ease of access to justice services when they are needed, by province, %



Total n=1016; Torba n=48, Sanma n=213, Penama n=107, Malampa n=165, Shefa n=285, Tafea n=198

Pearson chi-square test $p < 0.001$

Source: VPJSS survey

Table 19: Contact with justice services in the last 12 months, number and %

Contact	Frequency (no.)	Percentage (%)
Public Solicitor's Office	15	1.5
Department of Correctional Services	12	1.2
Department of Women's Affairs	12	1.2
Disability Desk	7	0.7
Child Desk	5	0.5
Courts	5	0.5
Office of the Public Prosecutor	3	0.3
Other	16	1.6
No contact with any of the above	937	92.2

Total n=1016

Source: VPJSS survey

No one in any of the nine focus groups had had direct contact in relation to a criminal matter with formal justice services. Several individuals had contact with a range of services, including the Vanuatu Women's Centre and the MJCS Disability Desk, about child maintenance and work respectively. One had gone to the Council of Chiefs and two to the customary land management office.

In the focus group with people with disabilities, it seemed that no one had direct experience⁶ of justice services (other than the police). Nevertheless, it was stressed that physical access to all government buildings was often poor, with no ramps for wheelchairs and physical barriers blocking access. As mentioned previously, the lack of transport and having someone to help to go to services or to help at the service was also raised. The group members advocated 'disability friendly spaces' and 'focal points' in services and access to intermediaries who can assist with sign language and those who are blind.

Community management of disputes and social problems

Respondents were asked whom they would ask for help to resolve a major disagreement or dispute with someone, and could choose as many of the 10 listed categories as they wanted. As Table 20 shows, the most frequent response out of a list of 10 groups or services was the chiefs, with 85.6% of the sample selecting them. The next most common was the police, which was nominated by 32.1% of the respondents, followed by family member (16.4%).

There are limitations created by asking respondents to only pick one service or person as, in practice, they may ask more than one, concurrently or sequentially, and a person may have several roles. Who is involved in the disagreement and dispute, and how serious or prolonged it is may influence who or what is approached to resolve or at least manage it. As Table 21 shows, the focus groups discussed multiple actors as being involved in the community management of problems, which would include interpersonal conflict. Family members and parents, chiefs and church leaders, community leaders and elders, village councils and police are described as being involved in varying capacities and in varying matters, with varying degrees of success.

The survey results and the focus group discussions underline the central role of chiefs, as usually the first port of call for those seeking advice and assistance, and, in the most serious cases, as potentially important intermediaries with external agencies like the police. Given the importance of chiefs in rural and urban settings further analysis was undertaken of the survey results (see Box 3). The chiefs may manage or stop particular incidents, but judging by what was said in focus groups, the police are likely to be called in to deal with incidents if the chief cannot or does not want to handle the matter. The relationships between chiefs and police, and other members of the community, are integral to effective community management of problems, both in terms of an immediate response and the longer-term prevention and reduction of problems.

Table 20: Whom respondents said they would ask for help to resolve a major disagreement or dispute with someone, number and %

Whom	Frequency (no.)	Percentage (%)
Chiefs	870	85.6
Police	326	32.1
Family member	167	16.4
Village council/nakamal	81	8.0
Church member	69	6.8
Island court	17	1.7
Friend	9	0.9
Magistrate's courts	5	0.5
Government agency	1	0.1
Customary land officer	0	0
Other	0	0

Source: VPJSS survey

Table 21: Focus groups notes on the community management of problems

Type of focus group	Notes about community management
Women, remote area	Church leaders, women leaders and elders were seen as helping a lot with family problems, and parents were trying to sort out drunken youth.
Women, rural/remote area	<p>Chiefs were viewed as not always taking care of problems in the community especially if it was a land dispute, and where they did try to handle problems by giving a fine in the nakamal, the decision was not necessarily respected.</p> <p>Both chiefs and parents were described as having problems handling young people that were misusing alcohol and marijuana.</p> <p>In this group, churches were not seen as a solution for handling some community problems.</p>
Men, rural area	<p>According to this group, police were called when there were serious problems, but transport for police needed to be paid by the community.</p> <p>Chiefs made rules, such as a curfew, but it was claimed that people do not respect them.</p> <p>This group asserted that the church handled some cases especially with youth who were drunk</p>
Young adult females, peri-urban area	<p>Generally, chiefs and police were described as managing problems in the communities, but the chiefs were viewed as often not being respected in urban and peri-urban areas.</p> <p>The church was named as helping to manage community problems.</p>
Young adult females, urban area	<p>The chief and pastor were described as responding to small problems first, with the chief then issuing a fine. If was a big problem or the chief could not handle the situation, the police were called. The chief was said to deal with family or domestic violence but the police are called upon if the violence was repeated or serious. Some victims reportedly went directly to the police.</p> <p>The pastor was described as usually advocating for better communication between everyone.</p>
Young adult males, peri-urban area	<p>It was said that the youth centre helps the youth to sort out their issues as well as parents.</p> <p>The community informs the police about problems in the community, but youth do not always respect chiefs.</p> <p>The elders in the communities were viewed as being instrumental in organising meetings between youth from different areas to reconcile disputes and streets safer.</p>
Young adult males, urban area	<p>Parents handle it when they hear about it and if they are involved it helps a lot as there is an immediate outcome.</p> <p>Some communities don't do anything and let it go.</p> <p>Family and friends and chiefs help first to sort out problems.</p> <p>Nakamal meetings can help.</p>

Source: Focus group notes

Conclusion

This chapter has presented the findings from the telephone based survey, along with selected notes from the nine focus groups. These findings have been organised around the key themes canvassed in the questionnaire and the focus groups, namely people's perceptions and experiences of safety, social problems, domestic and family violence, police and crime victimisation, law and justice services, and the community management of problems.

The survey results indicate that the majority of people feel safe most of the time. It is mainly in the context of walking around at night and during big celebrations that people feel most unsafe. Similarly, respondents thought the listed social groups mentioned were very safe or safe, with the most at risk viewed as being teenage girls. The respondents' experience of crime victimisation in the previous year also suggests that Vanuatu has a relatively low crime rate, with theft and assault being the most common crimes experienced by respondents. What appears to be causing people concern is the social disorder and other problems associated with kava, alcohol and drug use. Overall, the survey results suggest family and domestic violence is not viewed as a serious or widespread problem, although the focus groups suggests that it can be in some locations. There were significant differences in results related to area of residence (urban, peri-urban, rural or remote) and province, which will be discussed further in the next chapter.

Only half of the respondents who said they had been a victim of crime had reported the incident to the police, which means only a minority of the sample had direct experience of a police response. Even fewer respondents had contact with the formal justice sector. In general, survey respondents were positive about perceived changes in policing and the formal justice sector in the past two years, although there was evident frustration among both survey respondents and focus group participants in accessing the police in a timely manner in many places. Multiple actors are involved in the community management of problems including parents and church leaders, but the survey results and the focus group discussions underlined the critical role of chiefs, and their relationship to police and other community members, as the first point of contact for advice and, in many instances, intervention. The implications of these findings are discussed in the next chapter.

Box 3: Role of chiefs, based on survey results

- Key role in helping to resolve major disagreements or disputes and reducing risk of escalation
- First to go to for help if respondent or family was a victim of violence by a partner
- Along with family and church, the chiefs were the ones who were most likely to be seen as important and as responsible for maintaining safety in the community
- In Sanma Province, seen as important but one-fifth said not responsible at all for safety. Along with those in Shefa Province, most likely to go to police (17%) when the respondent or someone has been a victim of domestic violence.
- Other factors that the cross-tabulations suggest are relevant are: gender – women less likely than men to view chiefs as important, responsible and the first to seek help from; age – those over 40 more likely to have a higher estimation of chiefs; level of education – those who had completed fewer years of schooling more likely to see chiefs as significant; type of area – those in urban areas seeing chiefs as very important but also more likely to go to police who are likely to be more accessible in these areas.

Chapter 3 – Conclusions and implications

Introduction

The study was primarily designed to provide baseline data, but it can also inform current priorities and planning in the law and justice sector. As a result, this chapter returns to some of the themes identified in chapter 1, and considers how the study's results build on and confirm past assessments of how Vanuatu is faring in terms of safety and justice. In the second half of the chapter, the findings' implications for current efforts to improve personal and community safety and strengthen policing and justice services are outlined, along with the recommendations that emerged from the focus groups.

Safety, social problems and crime

As was noted in chapter 1, Vanuatu remains a stable and peaceful country, although there are growing concerns about its vulnerability to transnational crime and increasing levels of social unrest and crime in light of larger changes within and beyond the Pacific Island nation's borders.

The survey results indicate that the majority of respondents felt safe in most situations. Where around one-third felt most unsafe was walking around at night (with 27.3% saying they felt not safe or not all safe) and almost half during big celebrations (with 48.5% saying they felt not safe or not all safe). However, the widespread feeling of safety expressed by respondents in this study echoes that in the recent and more comprehensive national well-being survey in which 60% of the population aged 15 years and over felt safe from violence walking alone after dark in their community or area (VNSO 2021:163), and this seems reasonable when the low levels of reported crime are considered (VPF 2021). When asked about a range of social groups, all were viewed as safe by this survey's respondents (see Table 3), with the most at risk being identified as teenage girls, but even this group were seen as safe by most people (73.3%).

Analysis of the survey results revealed significant variations between locations in feelings of safety when walking around the community after dark, with type of area and province being a consistent predictor of difference across this question and other variables. As Figure 15 shows, the proportion of respondents that felt unsafe walking around the community after dark varied from 11% to 37% depending on the province. More people felt very safe in remote and rural areas compared to

those in urban areas, which resonates with the finding of the national well-being survey that 'thriving' individuals were more likely to feel safe in their community or area from violent attack when walking alone after dark in rural areas, in contrast to those that were 'suffering' in urban area, who felt largely unsafe (VNSO 2021:165). This finding likely reflects the greater degree of social cohesion found in close-knit rural communities than in more socially heterogeneous urban settings. Gender was also a significant variable with females feeling less safe after dark than males in both this survey and the national well-being survey (VNSO 2021:165). Gender, however, was not significant in the situation considered most unsafe in our survey – big celebrations – although province and area of residence were.

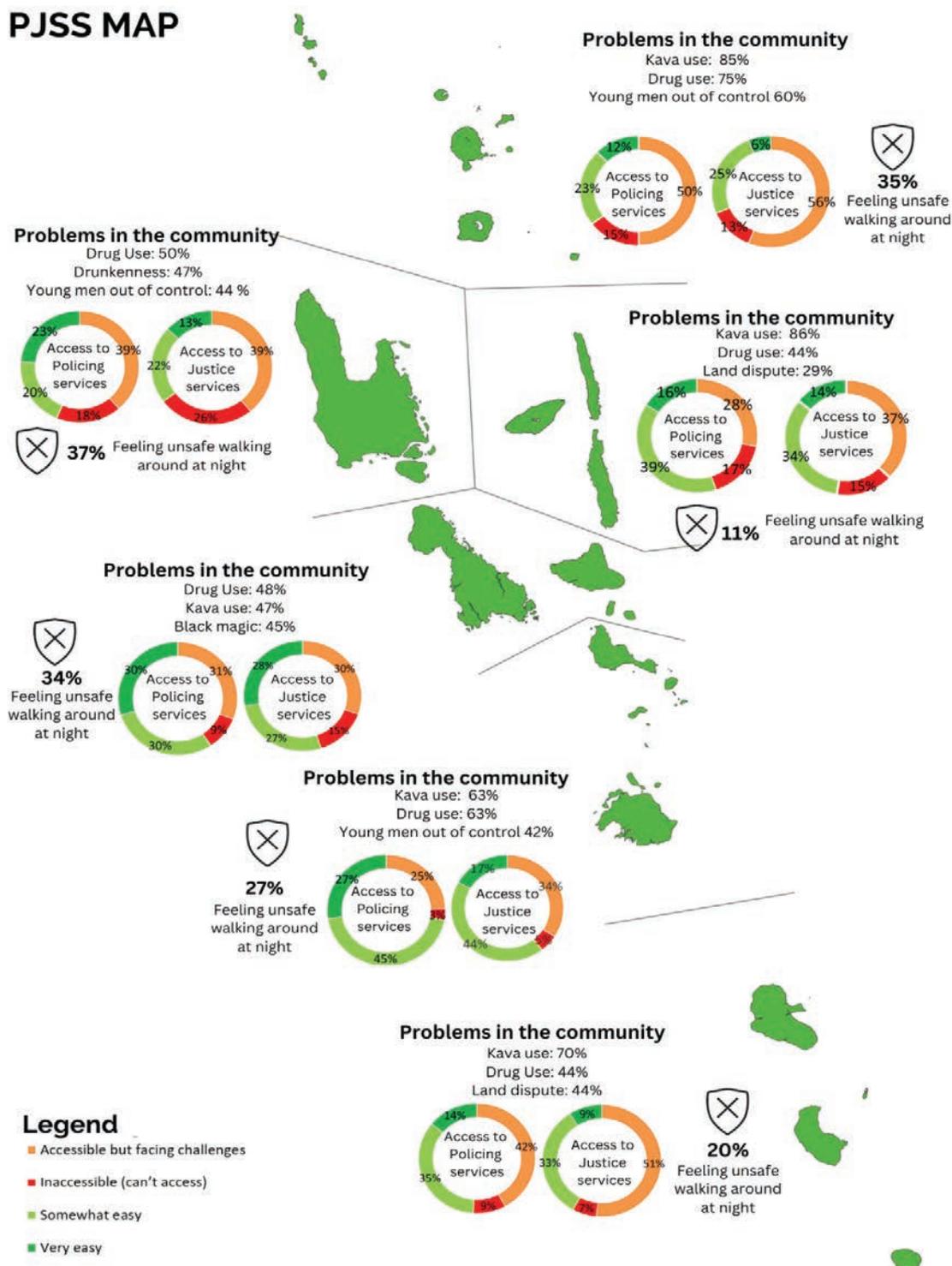
Nevertheless, the focus groups revealed a degree of anxiety about rising crime, and certain kind of offences, such as domestic violence and disorderly and violent behaviour. In some quarters this was attributed to rapid social changes and urbanisation. In particular, young men were singled out as causing trouble. The survey was too crude an instrument to probe the underlying disquiet expressed in many focus group discussions. Instead, it showed that the social problems that were perceived as the 'biggest' problems were associated with drug and kava use, and property crime. Figure 15 illustrates how the proportion of respondents who assessed drug and kava use as a big problem varied by province but remained a shared concern. It also shows that land disputes and young people out of control (and in one province 'black magic') were identified in some provinces as big social problems by a sizeable minority of the respondents.

Domestic and family violence

As noted in the first chapter, a comprehensive study in 2011 of women's lives and family relationships revealed high levels of violence against women, with 60% saying they had experienced physical and/or sexual violence in their lifetime (VWC and VNSO 2011). World Vision cites these and other statistics to underline the high levels of domestic and sexual violence (WVV 2020), while the 2021 annual police statistics list domestic violence in the top 10 offences and the National Security Strategy identifies gender-based violence as one of the more common offences.

The results of our study are ambiguous on this issue, and at face value, the perception of the respondents surveyed do not suggest that domestic, family or sexual violence are viewed as a big problem. Very

Figure 15: Map of provinces by key indicators of safety, social problems, and accessibility of police and justice services



Source: Vivian Fischer, VAPJP, internally published 27 October 2022

few respondents (n=19) said they had experienced domestic violence as the most recent crime in the past year. Almost a third of respondents (32.1%) said there was no domestic violence problem in their residential community, while in the ranking of 18 social problems (see Table 7), our respondents ranked domestic violence as 13th. Sexual violence or abuse was ranked even lower,

and fewer respondents said it was the most recent crime experienced in the past year.

Such results suggest there remain deeply entrenched views that normalise certain kinds of violence, particularly when there are other comprehensive studies that cite high levels of violence against women and girls in Vanuatu. In

focus groups there were frequent references to domestic, family and sexual violence, and their identification as social problems. In addition, the occurrence of domestic and family violence was indicated by the survey results: parental violence against children was viewed as the most frequent form of this kind of violence in the local community, followed by men using violence to resolve issues with women in their home, while women using violence to resolve issues with men in their homes was viewed as the least common.

A large majority of the respondents (70.3%) said they would contact the chief first to seek help if the respondent or someone in his or her family was the victim of domestic violence, with only 12.9% selecting the police as the first option. This may be partly due to difficulties with accessing police, which is discussed below, but may also reflect that many incidents of domestic violence continue to be viewed as a household or family problem that should be dealt with locally, and not by outside/state intervention.

There is evidence that public awareness raising and community education are having an impact. The majority of respondents (80.7%) viewed domestic violence as against the law, thought that women and men victims should report its occurrence to the police (75.5% and 72.4% respectively), and did not consider the four listed forms of domestic and family violence as justified (ranging between 84.3% and 87.4%).

Awareness of key reforms such as the Family Protection Act (46.1% said they had heard of it) and temporary or family protection orders (62.7%) was quite high compared with awareness of the specialist units or persons such as the VPF's Family Protection Unit (57.5%) and Authorised Persons under the Act (18.5%). No doubt restricted access to the latter two key services is reflected in these results. There are about 20 appointed FPU police officers, most of whom are in Port Vila and Luganville, while the others are spread out across the provinces and are usually only one per main island, and the APs only available in the small trial area.

However, the extent to which these attitudes and levels of knowledge are translating into practical engagement with the criminal justice system is less clear. A small proportion of respondents had sought assistance from the FPU in the past year (n=62, which is 6.1% of the total sample) – the most common way being via phone – while an even smaller number had applied for a temporary or family protection order (n=26). A tiny number had sought help from an Authorised Person. At the end of this chapter there is a recommendation to further investigate applications for and the granting of orders through justice intermediaries and the courts as well as the experiences with and efficacy of orders from the point of view of applicants.

Policing

A high level of underreporting of crime to police is suggested by the survey results. Of those who said they had been a victim of crime in the past 12 months

just under half (45%) said they had not made a formal report or statement of the crime to the police, with the most common reasons provided being dealing with it themselves (44.4%) or because the crime was not important (28.6%). Very few said it was because they did not trust the police (3.2%)⁷ or that the police were unwilling or uninterested in helping (4.8%). Those that dealt with the crime themselves could have done so for many reasons, including believing it was more appropriately handled at a local level or being influenced by what they saw as the tardiness or cost of calling or reporting in person to the police.

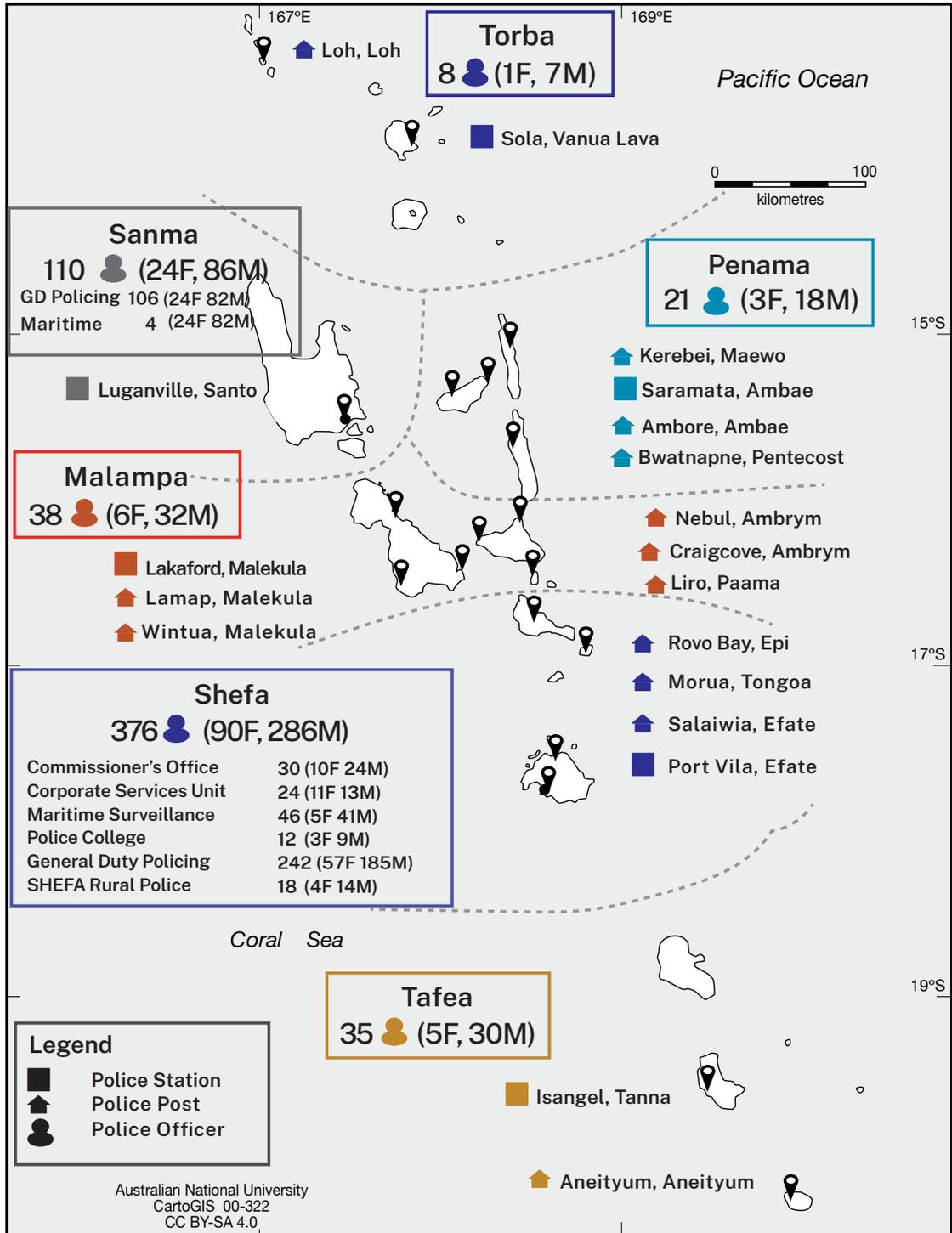
Much has been said in the past about the limited accessibility of police, particularly in rural areas (see chapter 1). McLeod (2022) recently conducted an organisational performance study of the VPF which drew attention to the multiple resource challenges confronting the police. This is acutely felt across the islands and provinces of Vanuatu in terms of the presence of the police and the timeliness to which they can or will respond. While police posts exist in many places (see Figure 16), not having fuel or a vehicle or boat can prevent action being taken. For citizens to actually go to a police post can involve considerable time and cost, as the following results from the national well-being survey demonstrate:

Police posts were accessed using public or shared transport by 82% of households in Vanuatu. Nearly half (49%) of households needed to travel over one hour to reach their nearest police post. There was considerable variation by location in the proportion of the population that was within 30 minutes of travelling distance to the nearest police post with, for example, 97% saying this was the case in Luganville compared with 5% in Sanma Rural and 8% in Penama (VNSO 2021:103–5).

More than half of the survey respondents in the current study said it was either very easy or somewhat easy to access police services when they needed them, but one in 10 did say they were inaccessible. What was apparent from the survey results and focus group discussions was that the police are often only called upon when their assistance is needed because the matter is important or they are the only ones seen as being able to deal with the particular crime or situation. In many cases the police are being contacted by phone – to report a crime or to contact them for other matters – and it is not known from the responses whether the call was answered or whether the police responded appropriately and in a timely fashion. Certainly, in the focus groups, there were complaints about having to fund the police to visit a village or community, and their slowness to respond to and progress the case.

When the police do respond to a request for assistance, the survey indicates that most people are satisfied with how they handle an enquiry or a report of a crime. The majority (65.9%) of those who had contacted the police in the past year were satisfied or very satisfied with the way police handled their enquiries. There was a slightly lower proportion of respondents (52%) who had reported a crime who were either very or somewhat

Figure 16: Map of Police Posts, as at 31 December 2021



Source: VPF Corporate Services Unit

satisfied with the way the police addressed the report. Although there were some positive comments, the most trenchant criticisms of the police were heard during the focus groups, especially from young people, in which much was said about the often poor relations between young men and police, with instances of bullying and undue physical force by police being referred to. New police recruits were also subject to some negative assessments by many focus group participants.

Having said that, the survey results also indicate that the majority of respondents believed the Vanuatu Police Force has improved in the past two years, with approximately two-thirds saying they had done a better of job across six policing functions, including providing appropriate services to victims of domestic, family and sexual violence and in keeping communities safe.

The formal justice sector

Lack of awareness of government justice services was the key issue revealed by the survey results and focus groups. Very few respondents or participants had direct experience of the formal justice sector, and where they had, it was typically for civil matters. When it is considered that the majority of survey respondents (78.1%) said they knew a little bit about Vanuatu's laws and that most (93.8%) had no contact with listed justice services in the past 12 months,⁸ then the results for awareness of the FPA and of protection orders appear more impressive than figures first suggest.⁹

In general, justice services were viewed in a positive light, with the majority (84.8%) either very or somewhat satisfied by government justice services, and 71.8% saying that the services were very or somewhat easy to access when needed. Similar to the responses for the police, more than half of the sample (57.8%) thought the justice services had improved in the last two years.

As Figures 12 and 13 show, there were provincial differences in the proportion of respondents who thought the police and justice services were accessible. The similarity in the proportions of respondents' assessments of the accessibility of police and justice services might suggest that the access to police services is being used as the proxy for the more encompassing notion of justice services.

Given the lack of direct experience with various agencies and services, these results have been treated with a degree of scepticism. Again, in the final section of the chapter we recommend further research to investigate the experience of access and satisfaction with government justice agencies and services dealing with criminal matters.

Community management of problems

Chapter 1 referred to the existence of diverse and overlapping sources and forms of authority, with *kastom* via chiefs frequently acting to resolve everyday disputes and maintain order at local levels. It was therefore not surprising that a constellation of mainly local actors were viewed by survey respondents as being the most important and responsible for maintaining safety in the local community. The top three for both items were family and church members, and chiefs, with police being ranked fourth. A somewhat different profile emerged in the answers to question about who respondents said they would ask for help to resolve a major disagreement or dispute. Here the chief was by far the most important with 85.6% of respondents selecting this category. Well behind were police (32.1%) and family members (16.4%). Interestingly, Island Courts were only chosen by 1.7% which suggests that these courts remain largely in abeyance. It is worth noting that in the focus groups there were a range of comments that indicated participants had observed chiefs' decisions or directives not being respected or followed, especially by young people. This corresponds to a finding in the national well-being survey where the report stated that there was overall a marked drop in the favourable assessment of chiefs' performance when the 2019–20 survey results are compared to the 2010 survey (VNSO 2021:173). Analysis of our survey results shows that this assessment is likely to vary and to be affected by socio-demographic factors such as age, gender and level of education and place-based factors, such as whether the area of residence is in rural or remote locations and the province.

Table 22: Recommendations from focus groups

Type of focus group	Notes about what could be done to improve safety
Women, remote area	<p>Increase police presence</p> <p>Young men especially those who returned from RSE, need to have work to keep themselves occupied</p>
Women, rural/remote area	<p>Chiefs can help with disciplining children</p> <p>Chiefs from different areas should come together to make rules for the communities and reinforce them regularly</p> <p>Police should be present during the festivity season and arrest people who misbehave</p>
Men, rural area	<p>Police post to be set up on the island to reduce time (waiting for the police) and cost (paying for their transport)</p> <p>Chiefs need to have more power to solve problems</p> <p>More awareness of the consequences of drug misuse especially marijuana</p> <p>There needs to be employment opportunities for youth</p>
Young adult females, peri-urban area	<p>Police take youth more seriously</p> <p>Increase awareness, especially among young people of the importance of the rule of law and of the consequences if they do not follow the law</p>

Young adult females, urban area	<p>The police need to become more professional, more timely and improve their relationship/communication with youth, so the latter are not afraid to speak up and report problems</p> <p>There needs to be more police posts in communities, and although they do a good job at events walking around, there needs to be more police trucks to patrol and transport those who have been arrested, particularly on weekends</p> <p>Chiefs need to be respected and to be provided some awareness of the law (especially about violence) to help them manage problems in the community</p> <p>In turn, the community needs awareness on law, violence, rights, and drugs</p> <p>Police and chiefs need to work together</p>
Young adult males, peri-urban area	<p>Need to limit alcohol in the communities (especially alcohol sold on the black market).</p> <p>Increase police presence</p> <p>Appoint chiefs to help maintain safety, especially at night.</p> <p>People need to call the police immediately if there is a big problem</p> <p>Regular awareness so that community, especially young people, understand the importance of maintaining law and order</p> <p>Improve relations between youth and police by police officers having a better understanding of the problems youth face. This could include officers attending plays organised by youth centres</p>
Young adult males, urban area	<p>Police should work more with the chiefs and with church leaders</p> <p>More patrols in communities outside the urban areas</p>
People with disabilities, urban area	<p>Need to have a person who can help people living with a disability, for example a person who knows sign language, in courts and police stations</p> <p>People living with a disability need awareness raising about justice services, on how they are available and how to access them</p> <p>Government (including the police) need to be more sensitised to the challenges faced by people with disabilities</p> <p>Increase the physical accessibility of services by removing barriers, for example, all government buildings including police stations should have ramps for wheelchairs and those who cannot walk easily; when you see the steps at the police station you just don't want to climb them.</p> <p>More help from police to strengthen the relationship with police and disabled people</p> <p>More awareness from police services for people living with a disability about what they do and where to go for help</p> <p>Chiefs and police should work together, and with provincial government, to improve community safety</p>

Source: Focus group notes

Recommendations from the focus groups

Table 22 shows young people in the focus groups were mostly concerned about the police, and the way they interact with young people. It is the latter that were seen by many as causing a lot of the social problems, particularly young men. Recommendations from the focus groups included providing employment for young

men, an increase in a police presence, more community education, and chiefs having more power or authority as well as working more effectively with police.

Due to limited knowledge and no or little exposure to the formal justice system there was little said about them in the focus groups. Instead, the emphasis is on the management of local social problems and having immediate or prompt access to responsive police when the need arises.

Strengthening policing and justice services

Based on the study's findings we advocate the continued emphasis on strengthening policing and justice services by:

- Addressing poor access in key locations and at key times.
- Addressing discrimination and disadvantage, by considering factors such as gender, age, family status and disability (see Box 4).
- Improving relations between police and young people.
- Supporting the recruitment, retention and promotion of police women.
- Providing training on protection orders, and the continued roll-out of APs.
- Building and recognising the role of multiple actors in the community management of problems.

Given their continuing prominence in managing everyday disputes and safety across Vanuatu, it is important that police and formal justice service providers engage with chiefs, particularly in terms of awareness of state laws and justice processes and human rights. This kind of engagement needs to have a strong emphasis on protecting the most vulnerable groups, namely women, youth, children and people with disabilities, as well as delineating the roles of different justice actors.

Box 4: Access to justice and people with disabilities

Available data suggests that a small proportion of the population have disabilities and many of these are elderly. The national well-being survey estimated that 6% of the population over 5 years of age had a disability (VNSO 2021). In this survey of adults, 3.3% (n=34) of respondents identified as having a disability, which was a number too small to include in analysis. According to survey respondents, people with disabilities are not at great risk of crime victimisation. However, the focus group with people with disabilities did highlight the vulnerability of some individuals and their experiences of being a victim of crime. Even more critical to the group participants was the issue of access to justice. In addition to the challenges of using public transport and navigating footpaths, they mentioned being frightened to go to services and being unable to access services, due to stigma, disrespect and discrimination, as well as not having a 'strong enough voice' to be heard by government services.

Being proactive

Using this study as a baseline, and repeating the survey and holding focus groups in a few years time, will place the VAPJP in a better position to assess its progress and impact. It is too early to address the three questions that underpinned the study, and these should be evaluated based on the findings from the next study, additional research (see below), and administrative data such as that recorded by the police and courts. We also note that there is a need to supplement future survey-based research with in-depth investigations that can provide deeper insights into issues of crime, violence and dispute in a context of rapid socio-economic change. The detailed studies undertaken in Malekula and Blacksands, referenced earlier in this report, provide an excellent model.

Adopting a crime prevention strategy and being prepared for the impact of increased urbanisation and offshore employment, can be enhanced:

- By focusing on addressing problematic behaviours linked, for example, with alcohol and other drugs, and common property crime
- By adopting intelligence-led policing such as enforcing liquor laws, and increasing patrols at certain places and times (for example, using crime data/technology¹⁰ to enhance policing at night time on celebration days, in specific areas such as nightclubs and bars)
- By community crime prevention measures that improve relations with and increase support for the vulnerable and disadvantaged. The 2019–20 Vanuatu well-being survey found that those 'suffering' or not 'thriving' in urban areas felt most unsafe (VNSO 2021). Considerable stress and a worsening of the conditions of the marginalised has been exacerbated in the past few years because of the COVID-19 pandemic and Cyclone Harold (see Fischer 2020)
- By improving the safety of at-risk groups — for example, teenage girls (from physical violence and cybercrime) — by increasing access to free telephone lines or developing country specific advice on physical and online safety, as well as social media groups that aim to create safe spaces for girls and women to share information and discuss strategies to improve safety.

Recommendation for future research

The study did not shed much light on satisfaction with justice services as so few survey respondents and focus group participants had direct experiences of the services. In order to assess the achievement of the VAPJP's EOPO1 that refers to the quality and reach of services, we would recommend research to assess the experience and satisfaction with formal justice services, including courts, and the clients of the public solicitor's and public prosecutor's offices.

As noted previously, it was a challenge to interpret the survey's results in relation to domestic and family violence, especially when some of the focus groups' comments on such violence are taken into account. It would therefore be beneficial to further explore societal understanding and normalisation of domestic violence and its implications for victims' access to justice.

Another area that would warrant further research is an in-depth investigation of the efficacy of protection orders and applicants' experiences of the process. Again, the study could reveal little about this as only a tiny fraction of survey respondents said they had applied for an order, and this research along with in-depth study of domestic violence would contribute to an evaluation of both the program's EOPO1 and EOPO2, given the latter is about access to justice.

The program's EOPO3 focuses on public security and the rule of law. The National Security Strategy refers to the challenges of transnational and organised crime, and their potential to undermine public security and confidence in state based justice (GoV 2019). A final area of recommended research relates to evidence of increased complex, cyber-based and transnational crime. A survey of community perceptions on safety, policing and justice is not a suitable instrument to explore whether indicators exist of such an increase. Changes in responses to some questions, for example an increase in experiences of fraud or of cyber-based crime, may give a crude sign of an increase, but more carefully crafted and specific research is required since it will involve seeking the views of those that work in security and, if possible, access to their records and data.

Endnotes

1. The FPU's are found across the country in every province, but they may not always be recognised as units but seen as generic police. At the time of the survey, Authorised Persons had been appointed only in Sanma Province.
2. Geographic information systems (GIS) have been used by police in high-income countries to inform problem-oriented policing (see for example, Hunt 2019). More recently, citizen reporting of incidents through mobile phones has provided an affordable option in low and middle income countries (for example in the Philippines, see Pacot 2019), with the potential for the police to adopt such platforms.
3. Country Meters, [Vanuatu Population](#).
4. UN Habitat, [Port Vila: Population and Demographics](#).
5. Vanuatu National Statistics Office, [Vanuatu 2020 National Population and Housing Census Preliminary Results has been released on Wednesday 30th June 2021](#).
6. One person had visited the Disability Desk but that was to look for a job, and not to access a justice service as a victim, offender or interested party.
7. The national well-being survey found that the level of trust in the police was relatively high with a mean score of 6.93 (on a scale from 0 to 10, with 10 being the highest). The police force was ranked below the civil service, but above the parliament for trust. Again, there was variation by area with a high mean score in Tafea (8.66) and the lowest in Shefa Rural (5.96) (VNSO 2021).
8. The exception to this are legal services with answers to a separate question showing that more than one in 10 (12.9%) respondents had sought advice about the law and/or legal issues in the past 12 months. However, these may have mainly been civil matters which are not the main work focus of the justice services listed in the survey.
9. The level of awareness of the FPA and of protection orders could be in part because of the Vanuatu Women's Centres in all provinces and a network of volunteers who support and advocate in rural communities.
10. See n. 2.

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Photo source: Rochelle Bailey, DPA

Appendix 1 – Questionnaire

SOCIO-DEMOGRAPHIC INFORMATION

1. Origin

What island are you from?

2. What island/area or municipal council area do you live in now?

TORBA	SANMA	PENAMA	MALAMPA	SHEFA	TAFEA
West Gaua	Big Bay inland	North Pentecost	Central Malekula	North Efate	North Tanna
East Gaua	Big Bay Coast	Central Pentecost 1	Northeast Malekula	Eratap	North East Tanna
West Vanualava	North West Santo	Central Pentecost 2	Northwest Malekula	East Efate	Central Tanna
East Vanualava	East Santo	South Pentecost	Southwest Malekula	North West Efate	West Tanna
Torres	Canal Fanafo	North Maewo	South Malekula	Mele	South West Tanna
Ureparapara	South East Santo	South Maewo	Southeast Malekula	Ifira	South Tanna
Motalava	South Santo Area 1	West Ambae	North Ambrym	Tanvasoko	East Tanna
Merelava	South Santo Area 2	North Ambae	West Ambrym	Erakor	Futuna
Mota	West Malo	East Ambae	South East Ambrym	Pango	Aniwa
	East Malo	South Ambae	Paama	Emau	Aneityum
	Luganville			Nguna-Pele	North Erromango
				Varsu	South Erromango
				Vermali	
				Vermaul	
				Yarsu	
				Tongoa	
				Tongariki	
				Makira	
				Emae	
				Port Vila	

3. Gender

M, F, other

4. Age

15-19, 20-29, 30-39, 40-49, 50-59, 60+

5. Current marital status

Single, single parent, defacto, married, separated, divorced, widowed

6. Employment status

Employed, self-employed/business owner, unemployed, student/trainee, retired, volunteer

7. Type of work/regular income (tick all that apply)

Gardening (to sell), farming/agriculture (to sell), fishing (to sell), market/subsistence trading (eg 20 vatu), copra, day (casual) labourer, private sector (business) job, local community or church job, NGO job, teacher, nurse or doctor, police, other government job, NGO job, house girl (domestic services), gardener (handyman), other (please specify)

8. Do you identify as being disabled Y/N, If Yes, please specify.

9. When did you finish school (Level of education) (tick highest level reached)

Did not attend school, Completed kindy/preschool, Completed primary through to class 6, Completed primary through to class 7, Completed junior secondary (Year 10), Completed senior secondary (Year 13), technical/vocational college, tertiary university

10. Role in the community (tick all that apply)

Chief, church leader, women leader, youth leader, other community leader, authorised person, Island court magistrate, police liaison, child protection liaison, other role (please specify)

PERSONAL AND COMMUNITY SAFETY

11. At this point in time, do you believe you are safe: Very safe, somewhat safe, not safe, not at all safe

- When you walk around your community in daytime?
- When you walk around your community at night time (after dark)?
- When you are at home in the daytime?
- When you are at home at night (after dark)?
- At the weekend?
- During big celebrations (eg Christmas, Independence Day)?

12. At this point in time, how safe do you feel these different groups are?

List: Young children, teenage boys, teenage girls, women, men, elderly women, elderly men, disabled people, widows, single parents

Very safe, somewhat safe, not safe, not at all safe

13. How responsible should the following be for maintaining safety in your community? List: Chiefs, family

member, police, Island court, Church member, Magistrate's courts, Government agency

Very responsible, somewhat responsible, a little responsible, not responsible

14. How important are the following in maintaining safety in your community? List: Chiefs, family member, police,

Island court, Church member, Magistrate's courts, government agency

Very important, important, not important, not at all important

COMMUNITY/NEIGHBOURHOOD PROBLEMS AND HELP-SEEKING

15. How much of a problem are the following in your village or neighbourhood? [rating scale]

List: Fights, alcohol fuelled violence, drunkenness, domestic violence, sexual violence or abuse, cyber based sexual violence, child abuse, theft, damaging property or gardens, black magic/witchcraft accusations, land disputes, vehicle accidents, drink driving, money disputes, young men out of control, Chiefly title disputes, drug use, kava use, threatening language or behaviour

16. If you had a major disagreement/ dispute with someone in your family or community, who would you ask to help you resolve it? [tick all that apply]

List: Chiefs, family member, police, Island court, Church member, Magistrate's courts, customary land officer, village council/nakamal, friend, Government Agency, other (please specify)

17. In your community,

- how often do men use violence to resolve issues with women in their homes?
- how often do women use violence to resolve issues with women in their homes?
- how often do parents use violence to resolve issues with youth or children in their homes?

Never, sometimes, most of the time, all of the time

DOMESTIC AND FAMILY VIOLENCE

18. Do you know that domestic and family violence is against the law? Y/N
19. Do you think it can be justified for men to use violence to resolve issues with: Y/N
- wives/partners
 - youth/children
20. Do you think it can be justified for women to use violence to resolve issues with: Y/N
- husbands/partners
 - youth/children
21. Should men make a report to the Police about violence that is done to them by wives/partners Y/N
22. Should women make a report to the Police about violence that is done to them by husbands/partners? Y/N
23. If you or someone in your family were a victim of violence by a partner, or former partner where would you first go for help?
List: Chiefs, family member, friend, police, Church leader/member, Island court, Magistrate's court, village council/nakamal, Vanuatu Women's Centre, health centre, Authorised Person, don't know, wouldn't report it, other (please specify)
24. Have you heard of the Family Protection Unit in the police? Y/N
25. Have you sought assistance from the Family Protection Unit in the past 12 months? Y/N
26. If yes, how did you contact or were referred to the Family Protection Unit?
List: 161 helpline, Vanuatu Women's Centre, direct contact at police station, phone call to police, health centre, Authorised Person, other (please specify)
27. Have you heard of the Family Protection Act (FPA)? Y/N
28. Have you heard of Authorised Persons under the Family Protection Act? Y/N
29. If yes, have you sought the help of an Authorised Person in the last 12 months? Y/N
30. If yes, how satisfied were you with the help the Authorised Person provided you?
Very satisfied, satisfied, not satisfied, not at all satisfied
31. Have you heard about Temporary Protection Orders or Family Protection Orders ['100 metre out' law]? Y/N
32. Have you applied for a Temporary Protection Order or Family Protection Order in the last 12 months? Y/N
33. If yes, did you get one? Y/N
34. If yes, how easy was it to obtain an Order?
Very easy, somewhat easy, not easy, not easy at all (difficult)
35. If yes, did you feel safer as a result of the Order? Y/N

CRIME AND POLICING

36. Compared to two years ago, do you think the Vanuatu Police Force have improved, stayed the same or are worse at:
- Reducing the level of crime in Vanuatu
 - Keeping communities safe
 - Improving community interaction with police
 - Meeting the needs of the community
 - Provide appropriate services to victims of domestic/family violence
 - Provide appropriate services to victims of sexual violence/abuse

37. How easy or hard is it for you to access police services when you need them?

Very easy, Somewhat easy, Accessible but facing challenges, Inaccessible (can't access)

38. Have you been a victim of crime in Vanuatu in the last 12 months? Y/N

39. If yes, what was the most recent crime?

List: Theft, break in (unlawful entry), assault, domestic violence, sexual violence (rape, incest, unlawful sexual intercourse, act of indecency), property damage, criminal trespass, other (please specify)

40. If yes, did you make a formal report or statement of this crime to the police? Y/N

41. If you did not report it or make a statement to the police, please indicate the main reasons why not [tick all that apply]

List: Don't trust them, could not contact them, they are not interested or willing to help, they don't have the right skills or equipment, they might make the situation worse, prefer to contact someone else for help, the crime was not important, dealt with it myself

42. If you did report it, how satisfied were you with the way the police handled your report?

Very satisfied, somewhat satisfied, not satisfied, not at all satisfied

43. Have you contacted the police for any reason in the last 12 months? Y/N

44. If yes, how did you contact the police?

List: Phone call, phone text (SMS), social media/online message, email, went to the police station, went to the police post, talked to an officer who was walking around, other (please specify)

45. If yes, how satisfied were you with the way the police handled your enquiry?

Very satisfied, somewhat satisfied, not satisfied, not at all satisfied

JUSTICE SERVICES

46. Overall, how satisfied are you with how the government of Vanuatu is providing justice services in your community? For example, Department of Women's Affairs, Department of Correctional Services, Courts, Public Prosecutor, Public Solicitor, State Law Office, Disability Desk, Child Desk, Land Management Office, Council of Chiefs.

Very satisfied, somewhat satisfied, not satisfied, not at all satisfied.

47. Overall, do you think that the justice services in Vanuatu have improved, got worse, or stayed the same in the last two years?

Improved, stayed the same, got worse

48. How easy or hard is it for you to access Police services when you need them?

Very easy, Somewhat easy, Accessible but facing challenges, Inaccessible (can't access)

49. Have you had any contact with the following justice services in the last 12 months? List (tick all that apply):

Public Solicitor's Office, Office of the Public Prosecutor, Courts, Child Desk, Disability Desk, Department of Women's Affairs, Department of Correctional Services.

50. If yes, how easy was it for you to access these justice services? List Public Solicitor's Office, Office of the Public Prosecutor, Island Court, Magistrate's Court, Supreme Court, Child Desk, Disability Desk, Department of Women's Affairs, Department of Correctional Services.

Very easy, easy, not easy, not at all easy

51. How much do you know about Vanuatu's laws? Nothing, a little bit, some, a lot/expert

52. In the past 12 months, have you sought advice about the law and/or legal issues? Y/N

53. If yes, what types of law or legal issues have you sought advice about? (tick all that apply)

List: Chiefly title dispute, land dispute, domestic/family violence, Protection Order, family dispute, fight/assault, property crime/damage/theft, drunkenness/disorderly behaviour, child maintenance, money dispute/debt other (please specify)

54. If yes, from what places have you sought advice about the law or legal issues? (tick all that apply)

List: Chief, Public Solicitor's Office, Vanuatu Women's Centre, Island Court, Magistrate's Court, Village court/nakamal, Police, Ministry of Justice, Government Agency, NGO, lawyer, family, friend, other (please specify)



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Department of Pacific Affairs

Coral Bell School of Asia Pacific Affairs
ANU College of Asia and the Pacific
The Australian National University
Canberra ACT 2600

E dpa@anu.edu.au

W dpa.bellschool.anu.edu.au

f [DepartmentofPacificAffairs](https://www.facebook.com/DepartmentofPacificAffairs)

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